

AGENDA FOR TUESDAY, JULY 13, 1999

- I. Call to Order.
- II. Invocation (Councilman Taylor).
- III. Minute Approval.
- IV. Special Presentation:
 - a)
- V. Ordinances – Second & Third Reading:
 - a) MR-99-008A (Close & Abandon): An ordinance closing and abandoning sanitary sewer easements located in Paramenas Park Subdivision, Lot 3, more particularly described herein and as shown on plat attached hereto and made a part hereof by reference, subject to certain conditions. **(SEE AMENDED VERSION – NEED MOTION TO SUBSTITUTE)**
- VI. Ordinances – First Reading:
 - a) 1999-086 Mid South Mattress Company (From R-3 to M-1): A tract of land located at 1255, 1257, and 1265 East 13th Street, being on the northeast line of East 13th Street northwest of Holtzclaw Avenue, more particularly described herein. **(Recommended for approval but with conditions – see alternate version)**

1999-086 Mid South Mattress Company (From R-3 to M-1): A tract of land located at 1255, 1257, and 1265 East 13th Street, being on the northeast line of East 13th Street northwest of Holtzclaw Avenue, more particularly described herein, subject to certain conditions. **(Recommended for approval subject to conditions)**
(HELD FROM 6-8-99)
 - b) 1999-090 Stan Baker (From R-1 to C-2): A tract of land located at 6 Brooks Circle and 7 Pisgah Avenue, being on the southeast line of Brooks Circle and the northwest line of Pisgah Avenue northeast of Brainerd Road, more particularly described herein. **(Recommended for denial)**
 - c) 1999-095 Chattanooga Neighborhood Enterprise, Inc. (From M-1 to C-3): A tract of land located at 1617 Williams Street and in the 200 block of West 17th Street, being on the northwest line of Williams Street at West 17th Street and on the northeast line of West 17th Street northwest of Williams Street, more particularly described herein. **(Recommended for approval)**

VI. Ordinances – First Reading (continued):

- d) 1999-097 Gunbarrel Properties, LLC (Amend Conditions): Amend certain conditions imposed in Ordinance No. 10539 on property located in the 1800 block of Gunbarrel Road, being on the southeast line of Gunbarrel Road southwest of Igou Gap Road, being more particularly described herein, subject to certain conditions. **(Contains Conditions Recommended by Planning)**

1999-097 Gunbarrel Properties, LLC (Amend Conditions): Amend certain conditions imposed in Ordinance No. 10539 on property located in the 1800 block of Gunbarrel Road, being on the southeast line of Gunbarrel Road southwest of Igou Gap Road, being more particularly described herein, subject to certain conditions. **(Contains Conditions Recommended by Staff)**

- e) 1999-098 Gary Ball (From C-2 to M-2): A tract of land located at 2207 East Main Street, being on the northeast line of East Main Street southeast of Kelley Street, more particularly described herein. **(Recommended for denial)**

- f) 1999-105 McKibbon Hotel Group of Chattanooga, Tennessee #2, LP (Amend Conditions): Amend certain conditions imposed in Ordinance No. 10213 on property located at 200 Chestnut Street, being on the northeast line of Chestnut Street at West 2nd Street, being more particularly described herein, subject to certain conditions. **(Recommended for approval)**

- g) 1999-107 Ovella S. Vinson (From R-1 to C-2): A tract of land located at 3630 Ridgeside Road, being on the southwest line of Ridgeside Road at Gillespie Road, more particularly described herein. **(Recommended for denial – see alternate version)**

1999-107 Ovella S. Vinson (R-1 to C-5): A tract of land located at 3630 Ridgeside Road, being on the southwest line of Ridgeside Road at Gillespie Road, more particularly described herein. **(Recommended for approval)**

- h) 1999-109 Bobby E. & Voula L. Fairbanks (From R-1 to C-5): A tract of land located at 1615 Gunbarrel Road, being on the northwest line of Gunbarrel Road northeast of Applegate Lane, more particularly described herein. **(Recommended for denial by Staff; recommended for approval upon conditions by Planning – see alternate version)**

1999-109 Bobby E. & Voula L. Fairbanks (From R-1 to C-5): A tract of land located at 1615 Gunbarrel Road, being on the northwest line of Gunbarrel Road northeast of Applegate Lane, more particularly described herein, subject to certain conditions. **(Recommended for approval by Planning)**

VI. Ordinances – First Reading (continued):

- i) 1999-112 Beverly Wilson (From R-2 to C-2): A tract of land located at 1725 North Orchard Knob Avenue, being on the northwest line of Orchard Knob Avenue at Olive Street, more particularly described herein. **(Recommended for denial)**

1999-112 Beverly Wilson (From R-2 to C-5): A tract of land located at 1725 North Orchard Knob Avenue, being on the northwest line of Orchard Knob Avenue at Olive Street, more particularly described herein. **(Recommended for approval)**

- j) An ordinance to amend Ordinance No. 6958, as amended, known as the Zoning Ordinance, to incorporate new language relative to Article V, Sections 603 and 903, to permit dwellings in the same building as any commercial building in the C-5 Neighborhood Commercial Zone and to add grocery stores to the list of permitted uses in the C-2 Convenience Commercial Zone.
- k) An ordinance to amend Ordinance No. 6958, as amended, known as the Zoning Ordinance, to incorporate new language relative to Article V, Section 903, to remove convenience grocery stores from the list of permitted uses in the C-5 Neighborhood Commercial Zone and substitute the use of a grocery store with no car washes and/or gasoline pumps.
- l) An ordinance to amend Ordinance No. 6958, as amended, known as the Zoning Ordinance, to incorporate new language relative to Article V, Sections 1001(4), 1011(1) and 1021, to allow day care centers to be located within the M-1, M-2 and M-3 Zone subject to a permitting procedure by the Board of Zoning Appeals.

VII. Resolutions:

- a) A resolution authorizing the Mayor to execute a Maintenance Contract with the Tennessee Department of Transportation for fiscal year 1999-2000, relative to the State reimbursing the City for maintenance work on State highways routed through the City.
- b) A resolution authorizing the award of Contract No. CSO-5b-99, Citico CSO Control Facility, to Haren Construction Company, Inc. for their low bid in the amount of \$5,133,000.00.
- c) A resolution authorizing the award of Contract No. SWM-1-99, Drainage and Water Quality Abatement, to Mayse Construction Company for their low bid in the amount of \$1,308,905.90.

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VII. Resolutions (continued):

- d) A resolution authorizing the execution of Change Order No. 1, Contract No. SWM-2-97, Drainage Ditch Rehabilitation and Water Quality Abatement, with Case Construction Company, which change order decreases the contract amount by \$8,506.41, for a total contract price of \$431,333.59, and which increases the contract time by 328 calendar days.
- e) A resolution authorizing Big K Food Market to use temporarily the City's right-of-way for installing three (3) groundwater quality monitoring wells, more particularly described herein, subject to certain conditions.
- f) A resolution authorizing the Administrator of the Department of Parks, Recreation, Arts & Culture of the City of Chattanooga, Tennessee, to enter into an Architect Agreement with Artech Design Group, Inc., for modifications at Greenway Farm Conference Center, more particularly described herein, in an amount not to exceed \$11,190.00.
- g) A resolution authorizing the Administrator of the Department of Parks, Recreation, Arts & Culture of the City of Chattanooga, Tennessee, to enter into an Architect Agreement with Artech Design Group, Inc., for modifications at East Lake Recreation Center, more particularly described herein, in an amount not to exceed \$12,400.00.

VIII. Overtime Report.

IX. Departmental Reports:

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

X. Other Business.

XI. Committee Reports.

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- XII. Agenda Session for Tuesday, July 20, 1999 (see following pages of this Agenda).
- XIII. Recognition of Persons Wishing to Address the Council on Non-Agenda Matters.
- XIV. Adjournment.

XII. Agenda Session for Tuesday, July 20, 1999:

AGENDA FOR TUESDAY, JULY 20, 1999

1. Call to Order.
2. Invocation (Councilman Hakeem).
3. Minute Approval.
4. Special Presentations:

**Dr. Jane Harbaugh – Presentation of
“TOGETHER WE CAN SCHOLARSHIP” Recipients**

5. Ordinances – Second & Third Reading:

- a) 1999-086 Mid South Mattress Company (From R-3 to M-1): A tract of land located at 1255, 1257, and 1265 East 13th Street, being on the northeast line of East 13th Street northwest of Holtzclaw Avenue, more particularly described herein. **(Recommended for approval but with conditions – see alternate version)**

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(HELD FROM 6-8-99)
- b) 1999-090 Stan Baker (From R-1 to C-2): A tract of land located at 6 Brooks Circle and 7 Pisgah Avenue, being on the southeast line of Brooks Circle and the northwest line of Pisgah Avenue northeast of Brainerd Road, more particularly described herein. **(Recommended for denial)**
- c) 1999-095 Chattanooga Neighborhood Enterprise, Inc. (From M-1 to C-3): A tract of land located at 1617 Williams Street and in the 200 block of West 17th Street, being on the northwest line of Williams Street at West 17th Street and on the northeast line of West 17th Street northwest of Williams Street, more particularly described herein. **(Recommended for approval)**

XII. Agenda Session for Tuesday, July 20, 1999 (continued):

5. Ordinances – Second & Third Reading (continued):

- d) 1999-097 Gunbarrel Properties, LLC (Amend Conditions): Amend certain conditions imposed in Ordinance No. 10539 on property located in the 1800 block of Gunbarrel Road, being on the southeast line of Gunbarrel Road southwest of Igou Gap Road, being more particularly described herein, subject to certain conditions. **(Contains Conditions Recommended by Planning)**

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- e) 1999-098 Gary Ball (From C-2 to M-2): A tract of land located at 2207 East Main Street, being on the northeast line of East Main Street southeast of Kelley Street, more particularly described herein. **(Recommended for denial)**
- f) 1999-105 McKibbon Hotel Group of Chattanooga, Tennessee #2, LP (Amend Conditions): Amend certain conditions imposed in Ordinance No. 10213 on property located at 200 Chestnut Street, being on the northeast line of Chestnut Street at West 2nd Street, being more particularly described herein, subject to certain conditions. **(Recommended for approval)**
- g) 1999-107 Ovella S. Vinson (From R-1 to C-2): A tract of land located at 3630 Ridgeside Road, being on the southwest line of Ridgeside Road at Gillespie Road, more particularly described herein. **(Recommended for denial – see alternate version)**

1999-107 Ovella S. Vinson (R-1 to C-5): A tract of land located at 3630 Ridgeside Road, being on the southwest line of Ridgeside Road at Gillespie Road, more particularly described herein. **(Recommended for approval)**

XII. Agenda Session for Tuesday, July 20, 1999 (continued):

5. Ordinances – Second & Third Reading (continued):

- h) 1999-109 Bobby E. & Voula L. Fairbanks (From R-1 to C-5): A tract of land located at 1615 Gunbarrel Road, being on the northwest line of Gunbarrel Road northeast of Applegate Lane, more particularly described herein. **(Recommended for denial by Staff; recommended for approval upon conditions by Planning – see alternate version)**

1999-109 Bobby E. & Voula L. Fairbanks (From R-1 to C-5): A tract of land located at 1615 Gunbarrel Road, being on the northwest line of Gunbarrel Road northeast of Applegate Lane, more particularly described herein, subject to certain conditions. **(Recommended for approval by Planning)**

- i) 1999-112 Beverly Wilson (From R-2 to C-2): A tract of land located at 1725 North Orchard Knob Avenue, being on the northwest line of Orchard Knob Avenue at Olive Street, more particularly described herein. **(Recommended for denial)**

1999-112 Beverly Wilson (From R-2 to C-5): A tract of land located at 1725 North Orchard Knob Avenue, being on the northwest line of Orchard Knob Avenue at Olive Street, more particularly described herein. **(Recommended for approval)**

- j) An ordinance to amend Ordinance No. 6958, as amended, known as the Zoning Ordinance, to incorporate new language relative to Article V, Sections 603 and 903, to permit dwellings in the same building as any commercial building in the C-5 Neighborhood Commercial Zone and to add grocery stores to the list of permitted uses in the C-2 Convenience Commercial Zone.
- k) An ordinance to amend Ordinance No. 6958, as amended, known as the Zoning Ordinance, to incorporate new language relative to Article V, Section 903, to remove convenience grocery stores from the list of permitted uses in the C-5 Neighborhood Commercial Zone and substitute the use of a grocery store with no car washes and/or gasoline pumps.
- l) An ordinance to amend Ordinance No. 6958, as amended, known as the Zoning Ordinance, to incorporate new language relative to Article V, Sections 1001(4), 1011(1) and 1021, to allow day care centers to be located within the M-1, M-2 and M-3 Zone subject to a permitting procedure by the Board of Zoning Appeals.

XII. Agenda Session for Tuesday, July 20, 1999 (continued):

6. Ordinances – First Reading:

- a) 1999-045 J. W. Everhart (Close & Abandon): East 29th Street located northwest from Orchard Knob Avenue, southwest of East 28th Street, more particularly described herein and as shown on plat attached hereto and made a part hereof by reference. **(Recommended for denial)**
- b) 1999-061 North American Royalties/Wheland Foundry (Close & Abandon): Sydney Street located southwest from West 26th Street northwest of Broad Street, and West 28th Street located northwest from Broad Street southwest of West 26th Street, more particularly described herein and as shown on plat attached hereto and made a part hereof by reference, subject to certain conditions. **(Recommended for approval)**
- c) 1999-066 The Dixie Group, Inc. (Close & Abandon): Lupton Drive located northeast from Mercer Street, more particularly described herein and as shown on plat attached hereto and made a part hereof by reference. **(Recommended for approval)**

7. Resolutions:

- a) A resolution authorizing the execution of a Development Management Agreement with Hines/Benchmark Joint Venture and authorizing it to act as agent for the City of Chattanooga in advertising for construction bids for the Chattanooga Conference Center Parking Garage.
- b) A resolution authorizing the execution of an Agreement with MXDesign, Inc./ River Street Architecture, LLC Joint Venture relative to architectural services for the Chattanooga Conference Center Parking Garage.
- c) A resolution authorizing the Department of General Services Administrator to enter into a Contract with All Seasons Lawn Care (Willie Cooper, Jr.) to perform specialty maintenance and landscaping services for several large properties owned by the City for an amount not to exceed \$20,000.00 for a twelve (12) month term.
- d) A resolution declaring surplus certain property located at 844 and 1148 East 8th Street, more particularly described herein, and authorizing the conveyance of said property to Inner City Development Corporation (ICDC) for the purpose of developing affordable housing in the Martin Luther King Boulevard area. **(NOTE: This may be amended – do not have information regarding whether or not Planning has declared the property surplus.)**

XII. Agenda Session for Tuesday, July 20, 1999 (continued):

7. Resolutions (continued):

- e) A resolution authorizing the Mayor to execute Agreement 99-258 for Implementation of Surface Transportation Program Activity with the Tennessee Department of Transportation, relative to the Tennessee Valley Railroad Museum, Phase 3, a copy of said Agreement being attached hereto and incorporated herein by reference, subject to reimbursement of the City's local match.
- f) A resolution authorizing the execution of Change Order No. 1, Contract No. RW-1-98, East Brainerd Road at Dave L. Brown, with Riverbend Construction Corporation, which change order increases the contract amount by \$8,585.00, for a total contract price of \$580,246.00, and which increases the contract time by two hundred sixty-four (264) calendar days.
- g) A resolution authorizing the execution of Amendment No. 8 to the Agreement with ARCADIS, Geraghty & Miller, Inc., relative to Contract No. 73B-2, Big Ridge Collection System IV, which amendment increases the contract amount by \$23,500.00, for a revised total contract amount not to exceed \$261,500.00.
- h) A resolution authorizing Sir Goony Golf of Chattanooga, Inc. to use temporarily the right-of-way along an undeveloped section of Old Birdsmill Road for the purpose of installing a fence for vehicle parking, more particularly described herein, subject to certain conditions.

8. Overtime Report.

9. Departmental Reports:

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

XII. Agenda Session for Tuesday, July 20, 1999 (continued):

10. Other Business.
11. Committee Reports.
12. Agenda Session for Tuesday, July 27, 1999.
13. Recognition of Persons Wishing to Address the Council on Non-Agenda Matters.
14. Adjournment.