

AGENDA FOR TUESDAY, JANUARY 8, 2002

- I. Call to Order.
- II. Pledge of Allegiance/Invocation (Councilman Taylor).
- III. Minute Approval.
- IV. Special Presentations:
- V. Ordinances – Second & Third Reading.
 - a) 2001-113 George B. Harless, Jr. (From R-2 to C-2). Rezone a tract of land located in the 1900 block of Kelly Street and the 2200 block of East 21st Street, more particularly described herein, subject to certain conditions. **(Recommended for approval by Staff - need Motion to Substitute)**
- VI. Ordinances – First Reading:
 - a) An Ordinance to amend Chattanooga City Code, Part II, Chapter 5, Section 5-83 relative to employees at establishments that serve beer for consumption on the premises.
 - b) An ordinance adopting and enacting a new Code for the City of Chattanooga, Tennessee; providing for the repeal of certain ordinances not included therein; providing a penalty for the violation thereof; providing for the manner of amending such code; and providing when such code and this ordinance shall become effective.
 - c) MR-2001-040 Parkridge Hospital (Close & Abandon). An ordinance closing and abandoning sanitary sewer easements and lines located in the rights-of-way and driveways fronting, running through and on the property of Parkridge Hospital, which generally fronts on McCallie Avenue, Lyerly Street Plaza One and Parkridge Hospital property, as shown on the map attached hereto and made a part hereof by reference, subject to certain conditions.
 - d) MR-2001-041 Oak Park Town Center (Close & Abandon). An ordinance closing and abandoning a sanitary sewer line and associated easement located across the Oak Park Town Center on Highway 153 at Grubb Road, and as shown on the map attached hereto and made a part hereof by reference.
 - e) MR-2001-137 Henry Luken, III (Close & Abandon). An ordinance closing and abandoning an alley northwest from the 1300 block of Central Avenue, more particularly described herein and as shown on the map attached hereto and made a part hereof by reference.

VI. Ordinances – First Reading (continued):

- f) MR-2001-147 Intech Properties, LLC (Close & Abandon). An ordinance closing and abandoning the unopened 1100-1300 blocks of Cushman Street and the 2800 block of Ohio Avenue, more particularly described herein and as shown on the map attached hereto and made a part hereof by reference, and permitting Comcast Cable Communications, Inc. and the City of Chattanooga, Tennessee to retain their respective easements.
- g) 2001-192 City of Chattanooga. An ordinance to change the right-of-way name for the 900-1100 block of Central Avenue to Arcadia Avenue, said right-of-way being more particularly described herein. **(Recommended for approval by Planning)**
- h) 2001-201 Pro Properties, GP (From O-1 to C-2). Rezone a tract of land located at 1346 Hickory Valley Road, more particularly described herein. **(Recommended for denial by Planning - see alternate version)**
- 2001-201 Pro Properties, GP (From O-1 to C-2). Rezone a tract of land located at 1346 Hickory Valley Road, more particularly described herein, subject to certain conditions. **(Recommended for approval by Planning)**
- i) 2001-202 Pro Properties, GP (Amend Conditions). Amend certain conditions contained in Ordinance No. 10546 on property located at 1346 Hickory Valley Road, more particularly described herein, subject to certain conditions. **(Recommended for denial by Planning - see alternate version)**
- 2001-202 Pro Properties, GP (Amend Conditions). Amend certain conditions contained in Ordinance No. 10546 on property located at 1346 Hickory Valley Road, more particularly described herein, subject to certain conditions. **(Recommended for approval by Planning)**
- j) 2001-205 Arthur Yother (From R-1 to C-2). Rezone a tract of land located at 7001 Dayton Pike, more particularly described herein. **(Recommended for approval by Planning)**
- k) 2001-207 Southeast U.S. Retail Fund, LP (Amend Conditions). Amend certain conditions contained in Ordinance No. 10028, on property located at 8644 East Brainerd Road, more particularly described herein, subject to certain conditions. **(Recommended for denial by Planning - see alternate version)**
- 2001-207 Southeast U.S. Retail Fund, LP (Amend Conditions). Amend certain conditions contained in Ordinance No. 10028, on property located at 8644 East Brainerd Road, more particularly described herein, subject to certain conditions. **(Recommended for approval by Planning)**
- l) 2001-208 Jeff Carmack & Ed Smith - J&E Holdings (From C-2 to C-1). Rezone a tract of land located at 1949 Northpoint Boulevard, more particularly described herein. **(Recommended for approval by Planning)**

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VI. Ordinances – First Reading (continued):

- m) 2001-209 Alta Kilgore (From R-1 to R-4). Rezone a tract of land located at 1515 North Joiner Road, more particularly described herein. **(Recommended for denial)**
- n) 2001-211 Mike Price (From R-1 to R-4). Rezone a tract of land located at 7380 Applegate Lane, more particularly described herein. **(Recommended for denial - see alternate version)**

2001-211 Mike Price (From R-1 to O-1). Rezone a tract of land located at 7380 Applegate Lane, more particularly described herein, subject to certain conditions. **(Recommended for approval by Planning)**
- o) 2001-213 City of Chattanooga (From R-3, R-4, C-2 & C-5 to R-1). Rezone an area within the Bushtown Neighborhood, more particularly described herein. **(Recommended for approval by Planning)**

VII. Resolutions:

- a) A resolution authorizing the execution of Final Change Order No. 1, relative to the 19th Street CSO Control Facility, Contract No. CSO-4b-00, with 3D Enterprises Contracting Corporation, which change order increases the contract amount by \$24,748.00, for a revised contract price of \$3,014,748.00 and increasing the contract time by 21 calendar days.
- b) A resolution authorizing the Administrator of the Department of Public Works to execute an engineering agreement with Consolidated Technologies, Inc., relative to engineering services for Phase I and II LFG/Leachate Extraction System Improvements at the City Landfill on Birchwood Pike, CTI Project No. Cp1067, for a total fee not to exceed \$53,400.00.
- c) A resolution authorizing the Mayor to enter into a Personal Services Contract with CityScape Development Services to perform services as consultant for the City and County in their development planning activities at the Volunteer Army Ammunition Plant (VAAP).
- d) A resolution to make certain findings relating to the granting of incentives to develop housing in downtown Chattanooga; to delegate certain authority to the Industrial Development Board of the City of Chattanooga, The Health, Educational and Housing Facility Board of the City of Chattanooga, Tennessee, and the Industrial Development Board of the County of Hamilton, Tennessee (The “Bond Boards”); to adopt a program for downtown housing development; to authorize the Mayor of the City of Chattanooga to enter into agreements for payments in lieu of ad valorem taxes meeting the criteria of said program and to provide for a termination of this incentive program in 10 years.

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VII. Resolutions (continued):

- e) A resolution to amend Resolution No. 22872, as adopted on March 13, 2001, altering the Central Business Zone area to incorporate a new area on the east side, as shown on the map attached hereto and made a part hereof by reference. **(Held from 12-18-01)**
- f) A resolution authorizing the purchase of a sewer easement from Silverdale Cumberland Presbyterian Church, relative to Contract No. 55A-3, Sanitary Sewer Relocation for Tennessee Department of Transportation Project No. 33005-2163-44, NH-I-75-(105)5, Tract No. 1, for a total consideration of \$1,248.00.
- g) A resolution authorizing the purchase of a sewer easement from Marcus V. Higgins, relative to Contract No. 55A-3, Sanitary Sewer Relocation for Tennessee Department of Transportation Project No. 33005-2163-44, NH-I-75-(105)5, Tract No. 6, for a total consideration of \$1,135.00.
- h) A resolution authorizing the purchase of a sewer easement from DRW Partnership, LLP, relative to Contract No. 55A-3, Sanitary Sewer Relocation for Tennessee Department of Transportation Project No. 33005-2163-44, NH-I-75-(105)5, Tract No. 15, for a total consideration of \$8,600.00.
- i) A resolution authorizing the purchase of a sewer easement from Devguru Investments, Inc., relative to Contract No. 55A-3, Sanitary Sewer Relocation for Tennessee Department of Transportation Project No. 33005-2163-44, NH-I-75-(102)5, Tract No. 4, for a total consideration of \$984.00.
- j) A resolution authorizing the purchase of a sewer easement from Curtis G. Goins and Barbara Goins, relative to Contract No. 55A-3, Sanitary Sewer Relocation for Tennessee Department of Transportation Project No. 33005-2163-44, NH-I-75-(102)5, Tract No. 5, for a total consideration of \$375.00.
- k) A resolution authorizing the purchase of a sewer easement from Guy Nelson Padgett and Jeanne L. Padgett, relative to Contract No. 55A-3, Sanitary Sewer Relocation for Tennessee Department of Transportation Project No. 33005-2163-44, NH-I-75-(102)5, Tract No. 7, for a total consideration of \$2,365.00.
- l) A resolution authorizing the purchase of a sewer easement from Vanessa A. Harris, relative to Contract No. 55A-3, Sanitary Sewer Relocation for Tennessee Department of Transportation Project No. 33005-2163-44, NH-I-75-(102)5, Tract No. 8, for a total consideration of \$1,167.00.
- m) A resolution authorizing the purchase of a sewer easement from Siska Investments, Inc., relative to Contract No. 55A-3, Sanitary Sewer Relocation for Tennessee Department of Transportation Project No. 33005-2163-44, NH-I-75-(102)5, Tract No. 8, for a total consideration of \$4,090.00.

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VII. Resolutions (continued):

- n) A resolution authorizing the purchase of a sewer easement from Owen S. Jones, Jr. and Pearline Y. Jones, relative to Contract No. 55A-3, Sanitary Sewer Relocation for Tennessee Department of Transportation Project No. 33005-2163-44, NH-I-75-(102)5, Tract No. 19, for a total consideration of \$2,000.00.
- o) A resolution authorizing the purchase of a sewer easement from Van Allen Banks, relative to Contract No. 55F, 3rd Street Sewer Relocation, Tract No. 6, for a total consideration of \$467.50.
- p) A resolution authorizing Papa Properties, LLC to use temporarily the City's right-of-way of Riverside Drive between the River Walk parking and the VFW Post 4848, which was the site of "The Sandbar Restaurant", to provide curb cuts for entry to a newly proposed restaurant, subject to certain conditions.
- q) A resolution authorizing Remedial Solution, Inc. to use temporarily the City's right-of-way of Adams Street and Jefferson Street, to provide a trench 12" wide by 18" deep to monitor and treat the underground water, subject to certain conditions.
- r) A resolution authorizing the Bushtown Neighborhood Association to use temporarily the City's right-of-way at the intersection of Orchard Knob Avenue and Cleveland Street to erect a neighborhood gateway sign, subject to certain conditions.
- s) A resolution authorizing the Bushtown Neighborhood Association to use temporarily the City's right-of-way at the intersection of Citico Avenue and Holtzclaw Avenue to erect a neighborhood gateway sign, subject to certain conditions.
- t) A resolution authorizing the Bushtown Neighborhood Association to use temporarily the City's right-of-way on Citico Avenue between Orchard Knob Avenue and Holtzclaw Avenue to erect a neighborhood sign, subject to certain conditions.

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 Finance and Administration.
- g) Department of Personnel.
- h) Department of Neighborhood Services.
- i) City Finance Officer.
- j) City Attorney.

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- X. Other Business.
- XI. Committee Reports.
- XII. Agenda Session for Tuesday, January 15, 2002.
- XIII. Recognition of Persons Wishing to Address the Council on Non-Agenda Matters.
- XIV. Adjournment.

XII. Agenda Session for Tuesday, January 15, 2002

AGENDA FOR TUESDAY, JANUARY 15, 2002

1. Call to Order.
2. Pledge of Allegiance/Invocation (Chairman Hakeem).
3. Minute Approval.
4. Special Presentations.
5. Ordinances – Second & Third Reading:
 - a) An ordinance adopting and enacting a new Code for the City of Chattanooga, Tennessee; providing for the repeal of certain ordinances not included therein; providing a penalty for the violation thereof; providing for the manner of amending such code; and providing when such code and this ordinance shall become effective.
 - b) An ordinance to amend Ordinance No. 6958, as amended, known as the Zoning Ordinance, related to the adoption of an updated codified version of the Zoning Ordinance containing all zoning amendments approved by the Chattanooga City Council from March 25, 1995 through December 31, 2001, and approving other changes necessary for clarification of certain standards and terms, as shown on the re-codified Zoning Ordinance, dated December 31, 2001, a copy of which is attached hereto and made a part hereof by reference. **(Held from 12-11-01) (Need Motion to Substitute)**
 - c) An Ordinance to amend Chattanooga City Code, Part II, Chapter 5, Section 5-83 relative to employees at establishments that serve beer for consumption on the premises.
 - d) MR-2001-040 Parkridge Hospital (Close & Abandon). An ordinance closing and abandoning sanitary sewer easements and lines located in the rights-of-way and driveways fronting, running through and on the property of Parkridge Hospital, which generally fronts on McCallie Avenue, Lyerly Street Plaza One and Parkridge Hospital property, as shown on the map attached hereto and made a part hereof by reference, subject to certain conditions.
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 - f) MR-2001-137 Henry Luken, III (Close & Abandon). An ordinance closing and abandoning an alley northwest from the 1300 block of Central Avenue, more particularly described herein and as shown on the map attached hereto and made a part hereof by reference.

XII. Agenda Session for Tuesday, January 15, 2002 (continued):

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

- g) MR-2001-147 Intech Properties, LLC (Close & Abandon). An ordinance closing and abandoning the unopened 1100-1300 blocks of Cushman Street and the 2800 block of Ohio Avenue, more particularly described herein and as shown on the map attached hereto and made a part hereof by reference, and permitting Comcast Cable Communications, Inc. and the City of Chattanooga, Tennessee to retain their respective easements.
- h) 2001-192 City of Chattanooga. An ordinance to change the right-of-way name for the 900-1100 block of Central Avenue to Arcadia Avenue, said right-of-way being more particularly described herein. **(Recommended for approval by Planning)**
- i) 2001-201 Pro Properties, GP (From O-1 to C-2). Rezone a tract of land located at 1346 Hickory Valley Road, more particularly described herein. **(Recommended for denial by Planning - see alternate version)**
2001-201 Pro Properties, GP (From O-1 to C-2). Rezone a tract of land located at 1346 Hickory Valley Road, more particularly described herein, subject to certain conditions. **(Recommended for approval by Planning)**
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- m) 2001-208 Jeff Carmack & Ed Smith - J&E Holdings (From C-2 to C-1). Rezone a tract of land located at 1949 Northpoint Boulevard, more particularly described herein. **(Recommended for approval by Planning)**

XII. Agenda Session for Tuesday, January 15, 2002 (continued):

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

n) 2001-209 Alta Kilgore (From R-1 to R-4). Rezone a tract of land located at 1515 North Joiner Road, more particularly described herein. **(Recommended for denial)**

o) 2001-211 Mike Price (From R-1 to R-4). Rezone a tract of land located at 7380 Applegate Lane, more particularly described herein. **(Recommended for denial - see alternate version)**

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p) 2001-213 City of Chattanooga (From R-3, R-4, C-2 & C-5 to R-1). Rezone an area within the Bushtown Neighborhood, more particularly described herein. **(Recommended for approval by Planning)**

6. Ordinances - First Reading:

7. Resolutions:

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 Finance and Administration.
- g) Department of Personnel.
- h) Department of Neighborhood Services.
- i) City Finance Officer.
- j) City Attorney.

10. Other Business.

11. Committee Reports.

12. Agenda Session for Tuesday, January 22, 2002.

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

14. Adjournment.