

AGENDA FOR TUESDAY, MAY 11, 2004

- I. Call to Order.
- II. Pledge of Allegiance/Invocation (Councilman Page)
- III. Minute Approval.
- IV. Special Presentations.
- V. Ordinances – Second & Third Reading:
 - a) MR-2003-225 City of Chattanooga c/o Phillip Lynn (Close & Abandon. An ordinance closing and abandoning a portion of Riverfront Parkway, more particularly described herein and as shown on the map attached hereto and made a part hereof by reference.
- VI. Ordinances - First Reading:
 - a) An ordinance to amend Ordinance No. 6958, as amended, known as the Zoning Ordinance, by amending Article V, Section 404, Subsections (3), (5) and (8), to incorporate new language relative to side yard requirements and minimum frontage in the R-4 Special Zone. **(Recommended for approval by Planning)**
 - b) MR-2003-224 City of Chattanooga c/o Phillip Lynn (Amend Ordinance No. 11510). An ordinance amending Ordinance No. 11510, adopted January 13, 2004, closing and abandoning an unopened portion of Morgan Street at the intersection of 28th Street, more particularly described herein, to include the triangular portion at the northeast corner of Lot 1, as shown on the map attached hereto and made a part hereof by reference. **(Recommended for approval by Public Works)**
 - c) MR-2004-008 City of Chattanooga c/o William McDonald (Close & Abandon). An ordinance closing and abandoning an unmaintained alley located east of the 4700 block of Covington Street, more particularly described herein and as shown on the map attached hereto and made a part hereof by reference. **(Recommended for approval by Planning and Public Works)**
 - d) 2004-042 James E. Citty (From R-1 to R-4). Rezone tracts of land located at 1412 and 1420 Crawford Street, more particularly described herein. **(Not recommended for approval by Planning - see alternate version)**

2004-042 James E. Citty (From R-1 to R-4). Rezone tracts of land located at 1412 and 1420 Crawford Street, more particularly described herein, subject to certain conditions. **(Recommended for approval by Planning)**
 - e) 2004-059 James D. Corbitt (From R-1 to R-3). Rezone tracts of land located at 1916 and 1924 Plymouth Lane, more particularly described herein. **(Recommended for denial by Planning)**

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VI. Ordinances - First Reading (continued):

- f) 2004-064 Ray Allen Jones (From R-1 to C-2). Rezone a tract of land located at 4031 Brainerd Road, more particularly described herein. **(Recommended for approval by Planning)**
- g) 2004-065 James A. Tipton (From R-1 to R-3). Rezone part of a tract of land located at 1343 Burgess Road, more particularly described herein. **(Not recommended for approval by Planning - see alternate version)**
- 2004-065 James A. Tipton (From R-1 to R-3). Rezone part of a tract of land located at 1343 Burgess Road, more particularly described herein, subject to certain conditions. **(Recommended for approval by Planning)**
- h) 2004-073 City of Chattanooga c/o Chattanooga Housing Authority (From M-1 to R-3). Rezone tracts of land located at 3811 Chandler Avenue and in the 3800 block of Ohls Avenue, more particularly described herein. **(Not recommended for approval by Planning - see alternate version)**
- 2004-073 City of Chattanooga c/o Chattanooga Housing Authority (From M-1 to R-1). Rezone tracts of land located at 3811 Chandler Avenue and in the 3800 block of Ohls Avenue, more particularly described herein, subject to certain conditions. **(Recommended for approval by Planning)**
- i) 2004-074 Southmark, LLC (From R-3 to C-2). Rezone tracts of land located at 2103, 2105, 2109 and 2111 Duncan Avenue, more particularly described herein. **(Not recommended for approval by Planning - see alternate version)**
- 2004-074 Southmark, LLC (From R-3 to R-3 with conditions and C-2). Rezone tracts of land located at 2103, 2105, 2109 and 2111 Duncan Avenue, more particularly described herein, subject to certain conditions. **(Recommended for approval by Planning)**
- j) 2004-075 Mike Wall (From R-1 and C-2 to O-1). Rezone tracts of land located at 3503 Valley Trail and 3508 Mountain Creek Road, more particularly described herein. **(Recommended for denial by Planning - see alternate Staff version)**
- 2004-075 Mike Wall (From R-1 and C-2 to O-1). Rezone tracts of land located at 3503 Valley Trail and 3508 Mountain Creek Road, more particularly described herein, subject to certain conditions. **(Recommended for approval by Staff)**
- k) 2004-076 Henry C. Eickhoff and Karen Ford Eickhoff (From R-1 and C-5 to C-2). Rezone a tract of land located at 4400 Brainerd Road, more particularly described herein. **(Recommended for denial by Planning)**

VI. Ordinances - First Reading (continued):

- l) 2004-086 Bobby Fairbanks and Jerry Hagan (From O-1 to R-4). Rezone tracts of land located at 1605 Gunbarrel Road and 7388 Applegate Lane, more particularly described herein. **(Not recommended for approval by Planning - see alternate version)**

2004-086 Bobby Fairbanks and Jerry Hagan (From O-1 to R-4). Rezone tracts of land located at 1605 Gunbarrel Road and 7388 Applegate Lane, more particularly described herein, subject to certain conditions. **(Recommended for approval by Planning)**

- m) MR-2004-071 Michael Dowlen (Close & Abandon). An ordinance closing and abandoning a portion of the unopened 3600 block of 16th Avenue, more particularly described herein and as shown on the map attached hereto and made a part hereof by reference. **(Recommended for approval by Public Works - see alternate Planning version)**

MR-2004-071 Michael Dowlen (Close & Abandon). An ordinance closing and abandoning a portion of the unopened 3600 block of 16th Avenue, 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 Planning)**

VII. Resolutions:

- a) 2004-070 RLS Group, LLC (Old Stage Run Preliminary and Final PUD). A resolution approving a proposed Preliminary and Final Planned Unit Development Special Exceptions Permit for a Planned Unit Development known as Old Stage Run Planned Unit Development, on tracts of land located at 5235 and 5311 Cassandra Smith 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)**
- b) A resolution authorizing Matt McGauley to use temporarily the City's right-of-way located at 11 East 7th Street to install a vertical banner, more particularly described herein, subject to certain conditions.
- c) A resolution authorizing David Hughes (President of McKibbon Brothers, Inc.) to use temporarily the City's right-of-way located at 200 Chestnut Street to install a sign, more particularly described herein and as shown on the drawings attached hereto and made a part hereof by reference, subject to certain conditions.
- d) A resolution rescinding Resolution No. 24076, adopted April 20, 2004, encaptioned "a resolution declaring a moratorium for 90 days on the issuance of any new sign permits so as to allow City Council to review and revise its existing ordinances." **(Added by permission of the Legal and Legislative Committee)**

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VII. Resolutions (continued):

- e) A resolution declaring a public nuisance as to the drainage piping on or adjacent to the property at 104 Peerless Avenue and authorizing the City Attorney to bring suit against such parties as may be necessary to abate the nuisance and recover damages that City has incurred. **(Added by permission of Chairman Benson)**

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.

X. Other Business.

XI. Committee Reports.

XII. Agenda Session for Tuesday, May 18, 2004.

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

XIV. Adjournment.

XII. Agenda Session for Tuesday, May 18 2004:

AGENDA FOR TUESDAY, MAY 18, 2004

1. Call to Order.
2. Pledge of Allegiance/Invocation (Chairman Benson).
3. Minute Approval.
4. Special Presentations.
5. Ordinances – Second & Third Reading:
 - a) An ordinance to amend Ordinance No. 6958, as amended, known as the Zoning Ordinance, by amending Article V, Section 404, Subsections (3), (5) and (8), to incorporate new language relative to side yard requirements and minimum frontage in the R-4 Special Zone. **(Recommended for approval by Planning)**
 - b) MR-2003-224 City of Chattanooga c/o Phillip Lynn (Amend Ordinance No. 11510). An ordinance amending Ordinance No. 11510, adopted January 13, 2004, closing and abandoning an unopened portion of Morgan Street at the intersection of 28th Street, more particularly described herein, to include the triangular portion at the northeast corner of Lot 1, as shown on the map attached hereto and made a part hereof by reference. **(Recommended for approval by Public Works)**
 - c) MR-2004-008 City of Chattanooga c/o William McDonald (Close & Abandon). An ordinance closing and abandoning an unmaintained alley located east of the 4700 block of Covington Street, more particularly described herein and as shown on the map attached hereto and made a part hereof by reference. **(Recommended for approval by Planning and Public Works)**
 - d) 2004-042 James E. Citty (From R-1 to R-4). Rezone tracts of land located at 1412 and 1420 Crawford Street, more particularly described herein. **(Not recommended for approval by Planning - see alternate version)**
2004-042 James E. Citty (From R-1 to R-4). Rezone tracts of land located at 1412 and 1420 Crawford Street, more particularly described herein, subject to certain conditions. **(Recommended for approval by Planning)**
 - e) 2004-059 James D. Corbitt (From R-1 to R-3). Rezone tracts of land located at 1916 and 1924 Plymouth Lane, more particularly described herein. **(Recommended for denial by Planning)**
 - f) 2004-064 Ray Allen Jones (From R-1 to C-2). Rezone a tract of land located at 4031 Brainerd Road, more particularly described herein. **(Recommended for approval by Planning)**

XII. Agenda Session for Tuesday, May 18 2004 (continued):

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

- g) 2004-065 James A. Tipton (From R-1 to R-3). Rezone part of a tract of land located at 1343 Burgess Road, more particularly described herein. **(Not recommended for approval by Planning - see alternate version)**

2004-065 James A. Tipton (From R-1 to R-3). Rezone part of a tract of land located at 1343 Burgess Road, more particularly described herein, subject to certain conditions. **(Recommended for approval by Planning)**

- h) 2004-073 City of Chattanooga c/o Chattanooga Housing Authority (From M-1 to R-3). Rezone tracts of land located at 3811 Chandler Avenue and in the 3800 block of Ohls Avenue, more particularly described herein. **(Not recommended for approval by Planning - see alternate version)**

2004-073 City of Chattanooga c/o Chattanooga Housing Authority (From M-1 to R-1). Rezone tracts of land located at 3811 Chandler Avenue and in the 3800 block of Ohls Avenue, more particularly described herein, subject to certain conditions. **(Recommended for approval by Planning)**

- i) 2004-074 Southmark, LLC (From R-3 to C-2). Rezone tracts of land located at 2103, 2105, 2109 and 2111 Duncan Avenue, more particularly described herein. **(Not recommended for approval by Planning - see alternate version)**

2004-074 Southmark, LLC (From R-3 to R-3 with conditions and C-2). Rezone tracts of land located at 2103, 2105, 2109 and 2111 Duncan Avenue, more particularly described herein, subject to certain conditions. **(Recommended for approval by Planning)**

- j) 2004-075 Mike Wall (From R-1 and C-2 to O-1). Rezone tracts of land located at 3503 Valley Trail and 3508 Mountain Creek Road, more particularly described herein. **(Recommended for denial by Planning - see alternate Staff version)**

2004-075 Mike Wall (From R-1 and C-2 to O-1). Rezone tracts of land located at 3503 Valley Trail and 3508 Mountain Creek Road, more particularly described herein, subject to certain conditions. **(Recommended for approval by Staff)**

- k) 2004-076 Henry C. Eickhoff and Karen Ford Eickhoff (From R-1 and C-5 to C-2). Rezone a tract of land located at 4400 Brainerd Road, more particularly described herein. **(Recommended for denial by Planning)**

XII. Agenda Session for Tuesday, May 18 2004 (continued):

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

- l) 2004-086 Bobby Fairbanks and Jerry Hagan (From O-1 to R-4). Rezone tracts of land located at 1605 Gunbarrel Road and 7388 Applegate Lane, more particularly described herein. **(Not recommended for approval by Planning - see alternate version)**

2004-086 Bobby Fairbanks and Jerry Hagan (From O-1 to R-4). Rezone tracts of land located at 1605 Gunbarrel Road and 7388 Applegate Lane, more particularly described herein, subject to certain conditions. **(Recommended for approval by Planning)**

- m) MR-2004-071 Michael Dowlen (Close & Abandon). An ordinance closing and abandoning a portion of the unopened 3600 block of 16th Avenue, more particularly described herein and as shown on the map attached hereto and made a part hereof by reference. **(Recommended for approval by Public Works - see alternate Planning version)**

MR-2004-071 Michael Dowlen (Close & Abandon). An ordinance closing and abandoning a portion of the unopened 3600 block of 16th Avenue, 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 Planning)**

6. Ordinances - First Reading:

- a) An ordinance providing for an interim budget and appropriating funds for the usual and ordinary expenses of the city government for the months of July, August and September 2004, pending the adoption of the 2004-2005 annual budget.
- b) An ordinance to amend Part II, Chattanooga City Code, Chapter 35, Article IV, Section 160, Subsection (4), relative to billing and charges for district wreckers. **(Deferred from 04-27-04)**
- c) MR-2004-021 Connie Henry Fernandez (Close & Abandon). An ordinance closing and abandoning 2 alleys located in the 4900 block of Beulah Avenue, more particularly described herein and as shown on the map attached hereto and made a part hereof by reference. **(Recommended for denial by Public Works and Planning - see alternate Temporary Use Resolution 7-a below)**
- d) 2004-052 Joseph Ryan Cooke (From M-2 and R-2 to C-2). Rezone tracts of land located at 1401 Dodson Avenue and 2108 Newton Street, more particularly described herein. **(Not recommended for approval by Planning - see alternate version - deferred from 04-13-04)**

2004-052 Joseph Ryan Cooke (From M-2 to C-2). Rezone a tract of land located at 1401 Dodson Avenue , more particularly described herein, subject to certain conditions. **(Recommended for approval by Planning - deferred from 04-13-04)**

XII. Agenda Session for Tuesday, May 18 2004 (continued):

6. Ordinances - First Reading (continued):

- e) MR-2004-063 Hillard Wall (Close & Abandon). An ordinance closing and abandoning an alley located south of the 1700 block of East 38th Street, more particularly described herein and as shown on the map attached hereto and made a part hereof by reference. **(Recommended for denial by Public Works and Planning - see alternate Temporary Use Resolution 7-b below)**

7. Resolutions:

- a) MR-2004-021 Connie Henry Fernandez. A resolution authorizing Connie Henry Fernandez to use temporarily the City's right-of-way located in the 4900 block of Beulah Avenue to restrict the access into the alley using a gate or similar barrier, 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 and Planning - see alternate Ordinance No. 6-c above)**
- b) MR-2004-063 Hillard Wall. A resolution authorizing Hillard Wall to use temporarily the City's right-of-way located south of the 1700 block of East 38th Street to install a fence for security and safety purposes, 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 and Planning - see alternate Ordinance No. 6-e above)**
- c) A resolution authorizing the transfer of credits from one account to another account within the various departments, agencies and divisions of the government.
- d) A resolution authorizing the appointment of Kenardo Curry as special policeman (unarmed) for the City of Chattanooga Department of Neighborhood Services to do special duty as prescribed herein, subject to certain conditions.
- e) A resolution authorizing the Chattanooga-Hamilton County Regional Planning Agency to develop a community land use plan for East Lake, Clifton Hills, Cedar City and Park City.
- f) A resolution authorizing the Chattanooga-Hamilton County Regional Planning Agency to develop a community land use plan for the East Chattanooga Area.
- g) A resolution authorizing the City Finance Officer to allocate \$115,000.00 for the award of 2004-2005 Neighborhood Grants.

8. Overtime Report.

XII. Agenda Session for Tuesday, May 18 2004 (continued):

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, May 25, 2004.
13. Recognition of Persons Wishing to Address the Council on Non-Agenda Matters.
14. Adjournment.