

AGENDA FOR TUESDAY, NOVEMBER 9, 2004

- I. Call to Order.
- II. Pledge of Allegiance/Invocation (Councilman Franklin).
- III. Minute Approval.
- IV. Special Presentations.
- V. Ordinances – Second & Third Reading:
 - a) An ordinance to amend Part II, Chattanooga City Code, Chapter 31, by adding new Sections 31-325.1 through 325.9 known as the Timber Removal Ordinance and by amending Subsections 31-321(b) and (c). **(Approved on First reading 9/21/04. 2nd & 3rd Reading deferred from 9/21/04, 10/12/04 & 10/19/04.)**
- VI. Ordinances - First Reading:
 - a) 2004-204 Arlington East Partnership (Lift Conditions). An ordinance to amend Ordinance No. 6958, as amended, known as the Zoning Ordinance, so as to lift conditions imposed in Ordinance No. 8547, Section 2, on property located at 7249 East Brainerd Road, being more particularly described herein, subject to certain conditions. **(Not recommended for approval by Planning - see alternate version.)**

2004-204 Arlington East Partnership (Lift Conditions). An ordinance to amend Ordinance 6958, as amended, known as the Zoning Ordinance, so as to lift conditions imposed in Ordinance No. 8547, Section 2, relative to the west property line only, on property located at 7249 East Brainerd Road, being more particularly described herein, subject to certain conditions. **(Recommended for approval by Planning.)**
 - b) 2004-206 Tanner K. C. Espy (From C-5 to C-2). An ordinance to amend Ordinance 6958, as amended, known as the Zoning Ordinance, so as to rezone a tract of land located at 8244 East Brainerd Road, more particularly described herein, from C-5 Neighborhood Commercial Zone to C-2 Convenience Commercial Zone. **(Recommended for denial by Planning.)**
 - c) MR-2004-207 New Hope Church of God in Christ c/o Velicia Hambrick (Close and Abandon). An ordinance closing and abandoning an unopened alley located parallel to the 1700 blocks of Stanfiel Street and Dodson Avenue, more particularly described herein. **(Recommended for approval by Planning and Public Works.)**
 - d) 2004-213 Hamilton County c/o Becky Browder (From M-2 and R-4 to C-4). An ordinance to amend ordinance 6958, as amended, known as the Zoning Ordinance, so as to rezone a tract of land located at 3901 Jenkins Road, more particularly described herein, from M-2 Light Industrial Zone and R-4 Special

Zone to C-4 Planned Commerce Center Zone. **(Recommended for approval by Planning.)**

- e) 2004-214 DeFoor Brothers Development, LLC (From R-1 to R-4). An ordinance to amend Ordinance 6958, as amended, known as the Zoning Ordinance, so as to rezone tracts of land located at 2317 and 2321 Timberlane Trail, more particularly described herein, from R-1 Residential Zone to R-4 Special Zone. **(Not recommended for approval by Planning and Staff - see alternate versions.)**

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- f) 2004-215 DeFoor Brothers Development, LLC (From R-1 to R-4). An ordinance to amend Ordinance 6958, as amended, known as the Zoning Ordinance, so as to rezone tracts of land located at 2313, 2317, 2319 and 2325 Napier Drive, more particularly described herein, from R-1 Residential Zone to R-4 Special Zone. **(Not recommended for approval by Planning and Staff - see alternate versions.)**

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- g) 2004-216 DeFoor Brothers Development, LLC (From R-1 to R-4). An ordinance to amend Ordinance 6958, as amended, known as the Zoning Ordinance, so as to rezone tracts of land located at 2324 Napier Drive, 7315 and 7318 McCutcheon Road, and 2329, 2333, and 2337 Timberlane Trail, more particularly described

herein, from R-1 Residential Zone to R-4 Special Zone. **(Not recommended for approval by Planning and Staff - see alternate versions.)**

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- h) 2004-217 DeFoor Brothers Development, LLC (From R-1 to R-4). An ordinance to amend Ordinance 6958, as amended, known as the Zoning Ordinance, so as to rezone tracts of land located at 7301, 7307, 7313, and 7319 McCutcheon Road, more particularly described herein, from R-1 Residential Zone to R-4 Special Zone. **(Not recommended for approval by Planning and Staff - see alternate versions.)**

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- i) MR-2004-221 Jeffrey M. Dalrymple (Close and Abandon). An ordinance closing and abandoning an unopened alley located on the south line of the 1800 block of Elmendorf Street, more particularly described herein. **(Not recommended for approval by Public Works - see alternate version.)**

MR-2004-221 Jeffrey M. Dalrymple (Close and Abandon). An ordinance closing and abandoning an unopened alley located on the south line of the 1800 block of Elmendorf Street, more particularly described herein, subject to certain conditions. **(Recommended for approval by Public Works.)**

- j) 2004-222 RMP, LLC (From R-2 to M-1). An ordinance to amend Ordinance 6958, as amended, known as the Zoning Ordinance, so as to rezone a tract of land

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located at 2909 Faxon Street, more particularly described herein, from R-2 Residential Zone to M-1 Manufacturing Zone. **(Not recommended for approval by Planning - see alternate version.)**

2004-222 RMP, LLC (From R-2 to M-1). An ordinance to amend Ordinance 6958, as amended, known as the Zoning Ordinance, so as to rezone a tract of land located at 2909 Faxon Street, more particularly described herein, from R-2 Residential Zone to M-1 Manufacturing Zone, subject to certain conditions. **(Recommended for approval by Planning.)**

- k) 2004-223 Kinsey Probasco & Associates (From R-3 and M-1 to O-1). An ordinance to amend Ordinance 6958, as amended, known as the Zoning Ordinance, so as to rezone tracts of land located at 1301 and 1311 Citico Avenue, more particularly described herein, from R-3 Residential Zone and M-1 Manufacturing Zone to O-1 Office Zone. **(Recommended for approval by Planning.)**

VII. Resolutions:

- a) A resolution authorizing the adoption of the Rossville Boulevard Community Plan.
- b) A resolution authorizing the adoption of the Land Use Plan updates for the Hixson-North River Community Plan.
- c) A resolution requesting the Chattanooga-Hamilton County Regional Planning Agency to conduct a zoning study for certain properties located in the Rossville Boulevard Community.
- d) A resolution approving the adoption of the Hamilton County Natural Hazards Mitigation Plan 2004.
- e) 2004-023 Iris Knoll Development Company (Final PUD). A resolution approving a Special Exceptions Permit for a Planned Unit Development known as the Iris Knoll Planned Unit Development on a tract of land located in the 6600 block of Sandwich Road, more particularly described herein and as shown on the Final Planned Unit Development Plan, subject to certain conditions.
- f) 2004-090 Wise Properties-TN, LLC (Final PUD). A resolution approving a Special Exceptions Permit for a Planned Unit Development known as the Townhomes Over Chattanooga Planned Unit Development, on a tract of land located in the 500 blocks of Woodland and Forest Avenues, more particularly described herein and as shown on the Final Planned Unit Development Plan, subject to certain conditions.

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- g) 2004-225 S. Reginald Ruff, III (Preliminary PUD). A resolution approving a Preliminary Planned Unit Development Special Exceptions Permit for a proposed addition and change of boundary of the Planned Unit Development known as the Spencer J. McCallie Homes Planned Unit Development, on tracts of land located in the 400 block of West 35th Street, the 600 block of West 37th Street, the 3700 block of Chandler Avenue, the 300 and 400 blocks of Water Street, and the 300 block of 38th Street, more particularly described herein and as shown on the map attached, subject to certain conditions.
- h) A resolution authorizing the Director of the Officer of Performance Review to execute a contract with the Urban League of Greater Chattanooga relative to the Earned Income Tax Credits Campaign, in the form attached hereto, in an amount not to exceed \$30,000.00. **(Added by permission of Council Chair 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 Personnel.
- g) Department of Neighborhood Services.
- h) Department of Finance and Administration
- i) City Attorney.

X. Other Business.

XI. Committee Reports.

XII. Agenda Session for Tuesday, November 9, 2004.

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

XIV. Adjournment.

XII. Agenda Session for Tuesday, November 16, 2004:

AGENDA FOR TUESDAY, NOVEMBER 16, 2004

1. Call to Order.
2. Pledge of Allegiance/Invocation (Councilman Littlefield).
3. Minute Approval.
4. Special Presentations.
5. Ordinances – Second & Third Reading:
 - a) MR-2004-188 Ray Beeler c/o Beeler Impression Products, Inc. (Close & Abandon). An ordinance closing and abandoning an unnamed alley between the 300 blocks of South Lyerly Street and Watkins Street, more particularly described herein. **(Recommended for denial by Planning, Staff, & Public Works.)**
 - b) 2004-204 Arlington East Partnership (Lift Conditions). An ordinance to amend Ordinance No. 6958, as amended, known as the Zoning Ordinance, so as to lift conditions imposed in Ordinance No. 8547, Section 2, on property located at 7249 East Brainerd Road, being more particularly described herein, subject to certain conditions. **(Not recommended for approval by Planning - see alternate version.)**

2004-204 Arlington East Partnership (Lift Conditions). An ordinance to amend Ordinance 6958, as amended, known as the Zoning Ordinance, so as to lift conditions imposed in Ordinance No. 8547, Section 2, relative to the west property line only, on property located at 7249 East Brainerd Road, being more particularly described herein, subject to certain conditions. **(Recommended for approval by Planning.)**
 - c) 2004-206 Tanner K. C. Espy (From C-5 to C-2). An ordinance to amend Ordinance 6958, as amended, known as the Zoning Ordinance, so as to rezone a tract of land located at 8244 East Brainerd Road, more particularly described herein, from C-5 Neighborhood Commercial Zone to C-2 Convenience Commercial Zone. **(Recommended for denial by Planning.)**
 - d) MR-2004-207 New Hope Church of God in Christ c/o Velicia Hambrick (Close and Abandon). An ordinance closing and abandoning an unopened alley located parallel to the 1700 blocks of Stanfiel Street and Dodson Avenue, more particularly described herein. **(Recommended for approval by Planning and Public Works.)**
 - e) 2004-213 Hamilton County c/o Becky Browder (From M-2 and R-4 to C-4). An ordinance to amend ordinance 6958, as amended, known as the Zoning Ordinance, so as to rezone a tract of land located at 3901 Jenkins Road, more

particularly described herein, from M-2 Light Industrial Zone and R-4 Special Zone to C-4 Planned Commerce Center Zone. **(Recommended for approval by Planning.)**

- f) 2004-214 DeFoor Brothers Development, LLC (From R-1 to R-4). An ordinance to amend Ordinance 6958, as amended, known as the Zoning Ordinance, so as to rezone tracts of land located at 2317 and 2321 Timberlane Trail, more particularly described herein, from R-1 Residential Zone to R-4 Special Zone. **(Not recommended for approval by Planning and Staff - see alternate versions.)**

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- j) MR-2004-221 Jeffrey M. Dalrymple (Close and Abandon). An ordinance closing and abandoning an unopened alley located on the south line of the 1800 block of Elmendorf Street, more particularly described herein. **(Not recommended for approval by Public Works - see alternate version.)**

MR-2004-221 Jeffrey M. Dalrymple (Close and Abandon). An ordinance closing and abandoning an unopened alley located on the south line of the 1800 block of Elmendorf Street, more particularly described herein, subject to certain conditions. **(Recommended for approval by Public Works.)**

- k) 2004-222 RMP, LLC (From R-2 to M-1). An ordinance to amend Ordinance 6958, as amended, known as the Zoning Ordinance, so as to rezone a tract of land

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located at 2909 Faxon Street, more particularly described herein, from R-2 Residential Zone to M-1 Manufacturing Zone. **(Not recommended for approval by Planning - see alternate version.)**

2004-222 RMP, LLC (From R-2 to M-1). An ordinance to amend Ordinance 6958, as amended, known as the Zoning Ordinance, so as to rezone a tract of land located at 2909 Faxon Street, more particularly described herein, from R-2 Residential Zone to M-1 Manufacturing Zone, subject to certain conditions. **(Recommended for approval by Planning.)**

- l) 2004-223 Kinsey Probasco & Associates (From R-3 and M-1 to O-1). An ordinance to amend Ordinance 6958, as amended, known as the Zoning Ordinance, so as to rezone tracts of land located at 1301 and 1311 Citico Avenue, more particularly described herein, from R-3 Residential Zone and M-1 Manufacturing Zone to O-1 Office Zone. **(Recommended for approval by Planning.)**

6. Ordinances - First Reading:

- a) 2004-165 Ray D. Slatton (from R-1 to C-2). An ordinance to amend Ordinance No. 6958, as amended, known as the Zoning Ordinance, so as to rezone a tract of land located at 6052 Highway 153, more particularly described herein, from R-1 Residential Zone to C-2 Convenience Commercial Zone. **(Not recommended for approval by Planning and Staff. - see alternative version. Deferred from 9/14/04.)**

2004-165 Ray D. Slatton (from R-1 to C-2). An ordinance to amend Ordinance No. 6958, as amended, known as the Zoning Ordinance, so as to rezone a tract of land located at 6052 Highway 153, more particularly described herein, from R-1 Residential Zone to C-2 Convenience Commercial Zone, subject to certain conditions. **(Recommended for approval by Planning.)**

- b) MR-2004-218 Jaroslav and Marie Tyman (Close and Abandon). An ordinance closing and abandoning an unopened portion of Davis Street (Crest Road) and Lloyd Street located east of the west line of the 2400 block of Woolson Road, more particularly described herein. **(Not recommended for approval by Planning and Public Works.)**

MR-2004-218 Jaroslav and Marie Tyman (Close and Abandon). An ordinance closing and abandoning an unopened portion of Davis Street (Crest Road) located east of the west line of the 2400 block of Woolson Road, more particularly described herein, subject to certain conditions. **(Recommended for approval by Planning and Public Works.)**

7. Resolutions:

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- a) A resolution authorizing the adoption of the 2004 Downtown Plan.
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 Personnel.
 - g) Department of Neighborhood Services.
 - h) Department of Finance and Administration
 - i) City Attorney.
10. Other Business.
11. Committee Reports.
12. Agenda Session for Tuesday, November 23, 2004.
13. Recognition of Persons Wishing to Address the Council on Non-Agenda Matters.
14. Adjournment.