

AGENDA FOR TUESDAY, JUNE 14, 2005

- I. Call to Order.
- II. Pledge of Allegiance/Invocation (Council Chair Robinson).
- III. Minute Approval.
- IV. Special Presentations.
- V. Ordinances – Second Reading:
- VI. Ordinances – First Reading:
 - a) An ordinance to amend Ordinance No. 6958, as amended, known as the Zoning Ordinance, by amending Article V, Section 400, R-4 Special Zone to add regulations entitled “Mixed Use Overlay Zone (MXU-0Z)” for the purpose of creating mixed use suburban developments.
 - b) An ordinance to amend Chattanooga City Code, Part II, Chapter 3, Sections 3-19 and 3-71(a)(6), relative to signs. **(Added by permission of the Legal and Legislative Committee.)**
 - c) 2005-048 DeFoor Brothers Development, LLC (from R-1 to R-4). An ordinance to amend Ordinance No. 6958, as amended, known as the Zoning Ordinance, so as to rezone tracts of land located in the 2400 block of Elam Lane, more particularly described herein, from R-1 Residential Zone to R-4 Special Zone, subject to certain conditions. **(Not recommended for approval by Planning – see alternate version.)**

2005-048 DeFoor Brothers Development, LLC (from R-1 to R-4). An ordinance to amend Ordinance No. 6958, as amended, known as the Zoning Ordinance, so as to rezone tracts of land located in the 2400 block of Elam Lane, more particularly described herein, from R-1 Residential Zone to R-4 Special Zone, subject to certain conditions. **(Recommended for approval by Planning.)**
 - d) 2005-055 Orville Payne (from R-2 to R-3). An ordinance to amend Ordinance No. 6958, as amended, known as the Zoning Ordinance, so as to rezone tracts of land located at 360 and 364 Brown’s Ferry Road, more particularly described herein, from R-2 Residential Zone to R-3 Residential Zone, subject to certain conditions. **(Not recommended for approval by Planning – see alternate version.)**

2005-055 Orville Payne (from R-2 to R-3MD). An ordinance to amend Ordinance No. 6958, as amended, known as the Zoning Ordinance, so as to rezone tracts of land located at 360 and 364 Brown’s Ferry Road, more particularly described herein, from R-2 Residential Zone to R-3MD Moderate Density Zone, subject to certain conditions. **(Recommended for approval by Planning.)**

- e) 2005-063 Don Walker (from O-1 to M-2). An ordinance to amend Ordinance No. 6958, as amended, known as the Zoning Ordinance, so as to rezone tracts of land located at 513 and 515 Airport Road, more particularly described herein, from O-1 Office Zone to M-2 Light Industrial Zone, subject to certain conditions. **(Recommended for denial by Planning.)**

- f) 2005-067 Hamilton County Partners II, L.P. (from R-2 & M-1 to R-3). An ordinance to amend Ordinance No. 6958, as amended, known as the Zoning Ordinance, so as to rezone a tract of land located at 200 East 37th Street, more particularly described herein, from R-2 Residential Zone and M-1 Manufacturing Zone to R-3 Residential Zone, subject to certain conditions. **(Not recommended for approval by Planning – see alternate version.)**

2005-067 Hamilton County Partners II, L.P. (from R-2 & M-1 to R-3). An ordinance to amend Ordinance No. 6958, as amended, known as the Zoning Ordinance, so as to rezone a tract of land located at 200 East 37th Street, more particularly described herein, from R-2 Residential Zone and M-1 Manufacturing Zone to R-3 Residential Zone, subject to certain conditions. **(Recommended for approval by Planning.)**

- g) 2005-068 Joseph Chaudhari, LLC (from C-5 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 3420 Wilcox Boulevard, more particularly described herein, from C-5 Neighborhood Commercial Zone to C-2 Convenience Commercial Zone, subject to certain conditions. **(Not recommended for approval by Planning – see alternate version.)**

2005-068 Joseph Chaudhari, LLC (from C-5 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 3420 Wilcox Boulevard, more particularly described herein, from C-5 Neighborhood Commercial Zone to C-2 Convenience Commercial Zone, subject to certain conditions. **(Recommended for approval by Planning.)**

- h) 2005-069 Lyle Finley Trust (from R-4 to C-2). An ordinance to amend Ordinance No. 6958, as amended, known as the Zoning Ordinance, so as to rezone tracts of land located at 4413 Oakwood Drive and part of 4411 Oakwood Drive, more particularly described herein, from R-4 Special Zone to C-2 Convenience Commercial Zone (amended request on 5-5-05), subject to certain conditions. **(Recommended for approval by Planning.)**

- i) 2005-070 Mike Blanchard, River Street Architecture (from C-2 & M-1 to R-4). An ordinance to amend Ordinance No. 6958, as amended, known as the Zoning Ordinance, so as to rezone a tract of land located at 950 Siskin Drive, more particularly described herein, from C-2 Convenience Commercial Zone and M-1 Manufacturing Zone to R-4 Special Zone, subject to certain conditions. **(Not recommended for approval by Planning – see alternate version.)**

2005-070 Mike Blanchard, River Street Architecture (from C-2 & M-1 to R-4). An ordinance to amend Ordinance No. 6958, as amended, known as the Zoning Ordinance, so as to rezone a tract of land located at 950 Siskin Drive, more particularly described herein, from C-2 Convenience Commercial Zone and M-1 Manufacturing Zone to R-4 Special Zone, subject to certain conditions. **(Recommended for approval by Planning.)**

- j) 2005-082 Michael A. Dowlen (from R-5 to R-1). An ordinance to amend Ordinance No. 6958, as amended, known as the Zoning Ordinance, so as to rezone a tract of land located at 5506 Cassandra Smith Road, more particularly described herein, from R-5 Residential Zone to R-1 Residential Zone, subject to certain conditions. **(Recommended for approval by Planning as part of PUD, Case 2005-077.)**

VII. Resolutions:

- a) A resolution authorizing the Chief of the Police Department to enter into a multiyear software service agreement with Visionair, Inc. for the period July 1, 2005 through June 30, 2009, substantially in the form attached hereto and incorporated herein by reference.
- b) A resolution authorizing the award of Contract No. R-04-004, St. Elmo Passive Park – Phase I: Building Demolition, to Gary Jackson Enterprises for a total amount not to exceed \$28,768.00, including a contingency amount of \$2,000.00.
- c) A resolution authorizing the award of Contract No. E-04-039-103, City Hall Renovations Asbestos-Lead Air Monitoring, to Alternative Actions, Inc. for a total amount not to exceed \$21,575.00, including a contingency amount of \$3,000.00.
- d) A resolution authorizing the award of Contract No. E-03-029-201, Cherokee Boulevard Streetscape Improvement Contract, to East Tennessee Grading, Inc. for a total amount not to exceed \$696,754.00, including a contingency amount of \$50,000.00.
- e) A resolution authorizing the purchase of a permanent drainage easement, slope easement, and temporary construction easement from Donald Ray Langford at 7425 Igou Gap Road, Parcel No. 149P-A-008, Tract No. 13, relative to the Igou Gap Road Widening Project, Contract No. E-03-011, for an amount no to exceed \$1,842.00.
- f) A resolution authorizing Judson Jadoobirsingh to use temporarily the City's right-of-way along 41st Street from 16th Avenue to 15th Avenue to install a four inch (4") sewer lateral, as shown on the drawing attached hereto and made a part hereof by reference, subject to certain conditions.
- g) A resolution authorizing the Personnel Director to execute an agreement with Joiner & Associates, a copy of which is attached hereto and made a part hereof by reference, relative to the development and administration of promotional exams for the positions of Fire Lieutenant and Fire Captain.

Agenda for Tuesday, June 14, 2005

Page 4 of 8

- h) A resolution authorizing the Chief of Police to accept the donation of a car trailer from Truck N Trailers USA which will be used initially in the Police Department's Beat the Heat Program and expressing the gratitude of the City Council for said donation. **(Added by permission of the Legal and Legislative Committee.)**
- g) A resolution awarding a contract for the Summit Head Start Center kitchen hood installation to Viking Industrial, Inc. for their low bid in the amount of \$21,840.00. **(Added by permission of Council Chair Robinson.)**

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 and 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, June 21, 2005.

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

XIV. Adjournment.

XII. Agenda Session for Tuesday, June 21, 2005:

AGENDA FOR TUESDAY, JUNE 21, 2005

1. Call to Order.
2. Pledge of Allegiance/Invocation (Councilman Page).
3. Minute Approval.
4. Special Presentations.
5. Ordinances – Second Reading:
 - a) An ordinance to amend Ordinance No. 6958, as amended, known as the Zoning Ordinance, by amending Article V, Section 400, R-4 Special Zone to add regulations entitled “Mixed Use Overlay Zone (MXU-0Z)” for the purpose of creating mixed use suburban developments.
 - b) An ordinance to amend Chattanooga City Code, Part II, Chapter 3, Sections 3-19 and 3-71(a)(6), relative to signs. **(Added by permission of the Legal and Legislative Committee.)**
 - c) 2005-033 Chattanooga Neighborhood Enterprise (from R-3 & M-1 to C-3). An ordinance to amend Ordinance No. 6958, known as the Zoning Ordinance, so as to rezone tracts of land located at 1902, 1904, and 1910 Rossville Avenue, more particularly described herein, from R-3 Residential Zone and M-1 Manufacturing Zone to C-3 Central Business Zone, subject to certain conditions. **(Deferred from 5-17-05.)**
 - d) 2005-048 DeFoor Brothers Development, LLC (from R-1 to R-4). An ordinance to amend Ordinance No. 6958, as amended, known as the Zoning Ordinance, so as to rezone tracts of land located in the 2400 block of Elam Lane, more particularly described herein, from R-1 Residential Zone to R-4 Special Zone, subject to certain conditions. **(Not recommended for approval by Planning – see alternate version.)**

2005-048 DeFoor Brothers Development, LLC (from R-1 to R-4). An ordinance to amend Ordinance No. 6958, as amended, known as the Zoning Ordinance, so as to rezone tracts of land located in the 2400 block of Elam Lane, more particularly described herein, from R-1 Residential Zone to R-4 Special Zone, subject to certain conditions. **(Recommended for approval by Planning.)**
 - e) 2005-055 Orville Payne (from R-2 to R-3). An ordinance to amend Ordinance No. 6958, as amended, known as the Zoning Ordinance, so as to rezone tracts of land located at 360 and 364 Brown’s Ferry Road, more particularly described herein, from R-2 Residential Zone to R-3 Residential Zone, subject to certain conditions. **(Not recommended for approval by Planning – see alternate version.)**

2005-055 Orville Payne (from R-2 to R-3MD). An ordinance to amend Ordinance No. 6958, as amended, known as the Zoning Ordinance, so as to rezone tracts of land located at 360 and 364 Brown's Ferry Road, more particularly described herein, from R-2 Residential Zone to R-3MD Moderate Density Zone, subject to certain conditions. **(Recommended for approval by Planning.)**

f) 2005-063 Don Walker (from O-1 to M-2). An ordinance to amend Ordinance No. 6958, as amended, known as the Zoning Ordinance, so as to rezone tracts of land located at 513 and 515 Airport Road, more particularly described herein, from O-1 Office Zone to M-2 Light Industrial Zone, subject to certain conditions. **(Recommended for denial by Planning.)**

g) 2005-067 Hamilton County Partners II, L.P. (from R-2 & M-1 to R-3). An ordinance to amend Ordinance No. 6958, as amended, known as the Zoning Ordinance, so as to rezone a tract of land located at 200 East 37th Street, more particularly described herein, from R-2 Residential Zone and M-1 Manufacturing Zone to R-3 Residential Zone, subject to certain conditions. **(Not recommended for approval by Planning – see alternate version.)**

2005-067 Hamilton County Partners II, L.P. (from R-2 & M-1 to R-3). An ordinance to amend Ordinance No. 6958, as amended, known as the Zoning Ordinance, so as to rezone a tract of land located at 200 East 37th Street, more particularly described herein, from R-2 Residential Zone and M-1 Manufacturing Zone to R-3 Residential Zone, subject to certain conditions. **(Recommended for approval by Planning.)**

h) 2005-068 Joseph Chaudhari, LLC (from C-5 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 3420 Wilcox Boulevard, more particularly described herein, from C-5 Neighborhood Commercial Zone to C-2 Convenience Commercial Zone, subject to certain conditions. **(Not recommended for approval by Planning – see alternate version.)**

2005-068 Joseph Chaudhari, LLC (from C-5 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 3420 Wilcox Boulevard, more particularly described herein, from C-5 Neighborhood Commercial Zone to C-2 Convenience Commercial Zone, subject to certain conditions. **(Recommended for approval by Planning.)**

i) 2005-069 Lyle Finley Trust (from R-4 to C-2). An ordinance to amend Ordinance No. 6958, as amended, known as the Zoning Ordinance, so as to rezone tracts of land located at 4413 Oakwood Drive and part of 4411 Oakwood Drive, more particularly described herein, from R-4 Special Zone to C-2 Convenience Commercial Zone (amended request on 5-5-05), subject to certain conditions. **(Recommended for approval by Planning.)**

- j) 2005-070 Mike Blanchard, River Street Architecture (from C-2 & M-1 to R-4). An ordinance to amend Ordinance No. 6958, as amended, known as the Zoning Ordinance, so as to rezone a tract of land located at 950 Siskin Drive, more particularly described herein, from C-2 Convenience Commercial Zone and M-1 Manufacturing Zone to R-4 Special Zone, subject to certain conditions. **(Not recommended for approval by Planning – see alternate version.)**

2005-070 Mike Blanchard, River Street Architecture (from C-2 & M-1 to R-4). An ordinance to amend Ordinance No. 6958, as amended, known as the Zoning Ordinance, so as to rezone a tract of land located at 950 Siskin Drive, more particularly described herein, from C-2 Convenience Commercial Zone and M-1 Manufacturing Zone to R-4 Special Zone, subject to certain conditions. **(Recommended for approval by Planning.)**

- k) 2005-082 Michael A. Dowlen (from R-5 to R-1). An ordinance to amend Ordinance No. 6958, as amended, known as the Zoning Ordinance, so as to rezone a tract of land located at 5506 Cassandra Smith Road, more particularly described herein, from R-5 Residential Zone to R-1 Residential Zone, subject to certain conditions. **(Recommended for approval by Planning as part of PUD, Case 2005-077.)**

6. Ordinances – First Reading:

7. Resolutions:

- a) 2005-013 Harvest Active Adult Communities, LLC. A resolution approving a proposed Final Planned Unit Development known as The Village at Greenway Planned Unit Development on a tract of land located at 1134 Mountain Creek Road, more particularly described herein and as shown on the Final Planned Unit Development Plan attached hereto and made a part hereof by reference, subject to certain conditions.

- b) 2005-077 Michael A. Dowlen (Preliminary PUD). A resolution approving a Preliminary Planned Unit Development Special Exceptions Permit for a proposed planned unit development known as the Amberbrook Gardens Planned Unit Development, on a part of a tract of land located at 5506 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. **(Not recommended for approval by Planning – see alternate version. Deferred from 5-31-05.)**

2005-077 Michael A. Dowlen (Preliminary PUD). A resolution approving a Preliminary Planned Unit Development Special Exceptions Permit for a proposed planned unit development known as the Amberbrook Gardens Planned Unit Development, on a part of a tract of land located at 5506 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.)**

- c) A resolution authorizing Donald Lee Norris, Deputy Administrator of the Department of Public Works, to sign vouchers, requisitions and other necessary documents for and on behalf of the Public Works Department.

Agenda for Tuesday, June 14, 2005

Page 8 of 8

- d) A resolution authorizing the City Finance Officer to execute any and all documents necessary to facilitate the sale of certain real property located at the intersection of McCallie Avenue and Central Avenue, more particularly described herein and as shown on the map and drawings attached hereto and made a part hereof by reference, to Chattanooga Neighborhood Enterprise, for a total consideration of \$20,000.00.
 - e) A resolution authorizing the Administrator of the Department of Parks and Recreation to temporarily employ Darrell McDonald relative to Montague Park and other projects for a period of six (6) months and for an amount not to exceed \$4,000.00 per month.
 - f) A resolution authorizing the City Finance Office to allocate \$100,000.00 for the award of 2005-2006 neighborhood grants.
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 and 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, June 28, 2005.
13. Recognition of Persons Wishing to Address the Council on Non-Agenda Matters.
14. Adjournment.