

AGENDA FOR TUESDAY, SEPTEMBER 6, 2005

- I. Call to Order.
- II. Pledge of Allegiance/Invocation (Councilwoman Rutherford).
- III. Minute Approval.
- IV. Special Presentations.

Presentation by Hal Baker, Chairman Human Rights-Human Relations Commission

V. Ordinances – Second Reading:

- a) An ordinance to amend Chattanooga City Code, Part II, Chapter 32, Article XII, Section 32-273(d), relative to street construction standards.
- b) MR-2005-056 Harry Hulsey (Close & Abandon). An ordinance closing and abandoning a portion of an unnamed alley running along the rear line of and parallel to properties located on the west line of the 6000 block of Ooltewah-Georgetown Road, more particularly described herein and as shown on the map attached hereto and made a part hereof by reference, subject to certain conditions.
- c) MR-2005-113 Vijay Chaudhari (Close & Abandon). An ordinance closing and abandoning an unopened alley located perpendicular to the south line of the 3300 block of Wilcox Boulevard, more particularly described herein and as shown on the map attached hereto and made a part hereof by reference

VI. Ordinances – First Reading:

- a) MR-2005-108 Robmer Partners (Close & Abandon). An ordinance closing and abandoning an unopened alley located between the 500 blocks of West 20th and West 21st Streets, more particularly described herein and as shown on the map attached hereto and made a part hereof by reference. **(Not recommended for approval by Planning and Public Works – see alternate version.)**

MR-2005-108 Robmer Partners (Close & Abandon). An ordinance closing and abandoning an unopened alley located between the 500 blocks of West 20th and West 21st Streets, 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 and Public Works.)**

- b) MR-2005-127 NL Ventures V Mercer, LP (Close & Abandon). An ordinance closing and abandoning portions of the unit blocks of Dixie Circle and Arkwright Street, more particularly described herein and as shown on the map attached hereto and made a part hereof by reference. **(Not recommended for approval by Planning and Public Works – see alternate version.)**

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MR-2005-127 NL Ventures V Mercer, LP (Close & Abandon). An ordinance closing and abandoning portions of approximately six feet (6') of City right-of-way along Dixie Circle, adjacent to Mercer Street, more particularly described herein and as shown on the map and drawings attached hereto and made a part hereof by reference, subject to certain conditions. **(Recommended for approval by Planning and Public Works.)**

- c) MR-2005-129 McCallie School c/o Tara L. Maner, P.E. (Close & Abandon). An ordinance closing and abandoning Public Sanitary Sewer Line MF #563 located in the abandoned 2900 block of Kirby 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.)**

VII. Resolutions:

- a) 2003-088 Chattanooga Development Company (Final PUD). A resolution approving a Special Exceptions Permit for a Planned Unit Development known as The Reunion Planned Unit Development, Phase 2, on a tract of land located at 00000 Morris Lane, 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) A resolution authorizing the purchase of a permanent sewer easement at 6966 Lee Highway, Tax Map No. 148D-H-001, Tract 66, from Realty Income Corporation TN 1 LLC, relative to the Shallowford Road Sewer Relocation Project, Contract No. W-03-004, for an amount not to exceed \$8,100.00.
- c) A resolution authorizing the award of a contract to Eastman Construction Company for their low bid in the amount of \$168,180.00 relative to remodeling of the second floor office at the Police Annex.
- d) A resolution authorizing the purchase of a right-of-way at 2121 Hamill Road, more particularly described herein, from Mark Young, relative to the Hamill Road Widening at Highway 153 Project, for an amount not to exceed \$14,968.00. **(Added by permission of the Public Works Committee.)**

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.

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- X. Other Business.
- XI. Committee Reports.
- XII. Agenda Session for Tuesday, September 13, 2005.
- XIII. Recognition of Persons Wishing to Address the Council on Non-Agenda Matters.
- XIV. Adjournment.

XII. Agenda Session for Tuesday, September 13, 2005:

AGENDA FOR TUESDAY, SEPTEMBER 13, 2005

1. Call to Order.
2. Pledge of Allegiance/Invocation (Councilman Rico).
3. Minute Approval.
4. Special Presentations.
5. Ordinances – Second Reading:
 - a) MR-2005-108 Robmer Partners (Close & Abandon). An ordinance closing and abandoning an unopened alley located between the 500 blocks of West 20th and West 21st Streets, more particularly described herein and as shown on the map attached hereto and made a part hereof by reference. **(Not recommended for approval by Planning and Public Works – see alternate version.)**

MR-2005-108 Robmer Partners (Close & Abandon). An ordinance closing and abandoning an unopened alley located between the 500 blocks of West 20th and West 21st Streets, 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 and Public Works.)**
 - b) MR-2005-127 NL Ventures V Mercer, LP (Close & Abandon). An ordinance closing and abandoning portions of the unit blocks of Dixie Circle and Arkwright Street, more particularly described herein and as shown on the map attached hereto and made a part hereof by reference. **(Not recommended for approval by Planning and Public Works – see alternate version.)**

MR-2005-127 NL Ventures V Mercer, LP (Close & Abandon). An ordinance closing and abandoning portions of approximately six feet (6') of City right-of-way along Dixie Circle, adjacent to Mercer Street, more particularly described herein and as shown on the map and drawings attached hereto and made a part hereof by reference, subject to certain conditions. **(Recommended for approval by Planning and Public Works.)**
 - c) MR-2005-129 McCallie School c/o Tara L. Maner, P.E. (Close & Abandon). An ordinance closing and abandoning Public Sanitary Sewer Line MF #563 located in the abandoned 2900 block of Kirby 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.)**

6. Ordinances – First Reading:

- a) An ordinance to amend Chattanooga City Code, Part II, Section 14-2, in order to adopt the National Electrical Code of 2005 as the Official Electrical Code of the City of Chattanooga and to amend Section 14-3 regarding certain amendments to the National Electrical Code and to revise certain language under Section 14-15 regarding non-refundable fees.
- b) An ordinance to amend Ordinance No. 6958, as amended, known as the Zoning Ordinance, by amending Article V, Section 603(11), relative to workshop type uses in the C-2 Convenience Commercial Zone.
- c) 2005-092 DL Enterprises (from R-4 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 5540 Highway 153, more particularly described herein, from R-4 Special Zone to C-2 Convenience Commercial Zone. **(Deferred from 8-9-05. Not recommended for approval by Planning or Staff – see alternate versions.)**

2005-092 DL Enterprises (from R-4 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 5540 Highway 153, more particularly described herein, from R-4 Special Zone to C-2 Convenience Commercial Zone, subject to certain conditions. **(Deferred from 8-9-05. Recommended for approval by Planning.)**

2005-092 DL Enterprises (from R-4 to C-5). An ordinance to amend Ordinance No. 6958, as amended, known as the Zoning Ordinance, so as to rezone a tract of land located at 5540 Highway 153, more particularly described herein, from R-4 Special Zone to **C-5 Neighborhood Commercial Zone**, subject to certain conditions. **(Deferred from 8-9-05. Recommended for approval by Staff.)**

- d) 2005-132 Kimberly E. and William T. Wade, Jr. (from R-2 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 2322 Center Street, more particularly described herein, from R-2 Residential Zone to C-2 Convenience Commercial Zone. **(Not recommended for approval by Planning or Staff – see alternate versions.)**

2005-132 Kimberly E. and William T. Wade, Jr. (from R-2 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 2322 Center Street, more particularly described herein, from R-2 Residential Zone to C-2 Convenience Commercial Zone, subject to certain conditions. **(Recommended for approval by Planning.)**

2005-132 Kimberly E. and William T. Wade, Jr. (from R-2 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 2322 Center Street, more particularly described herein, from R-2 Residential Zone to C-2 Convenience Commercial Zone, subject to certain conditions. **(Recommended for approval by Staff.)**

- e) 2005-134 City of Chattanooga c/o Regional Planning Agency (from R-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 3821 Brainerd Road, more particularly described herein, from R-1 Residential Zone to R-4 Special Zone. **(Not recommended for approval by Planning – see alternate version.)**

2005-134 City of Chattanooga c/o Regional Planning Agency (from R-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 3821 Brainerd Road, more particularly described herein, from R-1 Residential Zone to R-4 Special Zone, subject to certain conditions. **(Recommended for approval by Planning.)**

- f) 2005-136 Michael J. Steward, Agent for owner, Martin Shofner, et al. (from R-4 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 6390 Lee Highway, more particularly described herein, from R-4 Special Zone to C-2 Convenience Commercial Zone. **(Recommended for approval by Planning.)**

- g) 2005-139 84 Lumber (from R-1 to M-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 2846 Eblen Drive, more particularly described herein, from R-1 Residential Zone to M-2 Light Industrial Zone. **(Not recommended for approval by Planning or Staff – see alternate versions.)**

2005-139 84 Lumber (from R-1 to M-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 2846 Eblen Drive, more particularly described herein, from R-1 Residential Zone to M-2 Light Industrial Zone, subject to certain conditions. **(Recommended for approval by Planning.)**

2005-139 84 Lumber (from R-1 to M-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 2846 Eblen Drive, more particularly described herein, from R-1 Residential Zone to M-2 Light Industrial Zone, subject to certain conditions. **(Recommended for approval by Staff.)**

- h) 2005-140 Paul Reyher, Jr. (from R-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 in the 4200 block of Benton Drive, more particularly described herein, from R-1 Residential Zone to R-3 Residential Zone. **(Recommended for denial by Planning. Not recommended for approval by Staff – see alternate version.)**

2005-140 Paul Reyher, Jr. (from R-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 in the 4200 block of Benton Drive, more particularly described herein, from R-1 Residential Zone to R-3 Residential Zone, subject to certain conditions. **(Recommended for approval by Staff.)**

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- i) 2005-143 Earl Chandler (from R-3 and M-1 to C-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 2600 Broad Street, more particularly described herein, from R-3 Residential Zone and M-1 Manufacturing Zone to C-3 Central Business Zone. **(Not recommended for approval by Planning – see alternate version.)**

2005-143 Earl Chandler (from R-3 and M-1 to C-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 2600 Broad Street, more particularly described herein, from R-3 Residential Zone and M-1 Manufacturing Zone to C-3 Central Business Zone, subject to certain conditions. **(Recommended for approval by Planning.)**

7. Resolutions:

- a) A resolution authorizing FSG Bank to use temporarily the City right-of-way along Broad Street and 6th Street to install a new exterior masonry façade over the existing brick façade which will project a few inches into the City right-of-way, as shown on the drawing attached hereto and made a part hereof by reference, subject to certain conditions.
- b) 2005-117 David Dalton, Signature Land Company (Preliminary PUD). A resolution approving a Preliminary Planned Unit Development Special Exceptions Permit for a proposed planned unit development on tracts of land located at 1112 and 1154 East Dallas Road, more particularly described herein and as shown on the map attached hereto and made a part hereof by reference, subject to certain conditions.
- c) 2005-121 Ten Tex Investments, LLC (Preliminary PUD). A resolution approving a Preliminary Planned Unit Development Special Exceptions Permit for a proposed planned unit development, known as Dream Oaks Townhomes Planned Unit Development, on tracts of land located at 6620, 6634, and 6644 Sandwitch Road, more particularly described herein and as shown on the map attached hereto and made a part hereof by reference, subject to certain conditions.

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.

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11. Committee Reports.
12. Agenda Session for Tuesday, September 20, 2005.
13. Recognition of Persons Wishing to Address the Council on Non-Agenda Matters.
14. Adjournment.