

THIRD AMENDED AGENDA FOR TUESDAY, MARCH 11, 2008

- I. Call to Order.
- II. Pledge of Allegiance/Invocation (Vice-Chair Bennett).
- III. Minute Approval.
- IV. Special Presentations.
- V. Ordinances – Final Reading:
 - a) An ordinance to amend Chattanooga City Code, Part II, Chapter 24, Article XIV, Section 24-502, Schedule II, Speed on Through Streets.
 - b) An ordinance to amend Part II, Chattanooga City Code, Chapter 35, relative to vehicles for hire and to add a new article relative to pedal carriage or pedicabs, rickshaws and personal mobility devices used as vehicles for hire.
- VI. Ordinances – First Reading:
 - a) MR-2007-183 Dale M. Smith (Close & Abandon). An ordinance closing and abandoning part of Sanitary Sewer Line No. 11454, more particularly described herein and as shown on the maps attached hereto and made a part hereof by reference. **(Not recommended for approval by Planning and Public Works.)**

MR-2007-183 Dale M. Smith (Close & Abandon). An ordinance closing and abandoning part of Sanitary Sewer Line No. 11454, more particularly described herein and as shown on the maps attached hereto and made a part hereof by reference, subject to certain conditions. **(Recommended for approval by Planning and Public Works.)**
 - b) 2008-019 Mike Cooke (from R-1 to R-2). An ordinance to amend Ordinance No. 6958, as amended, known as the Zoning Ordinance, so as to rezone tracts of land located in the 200 block of Sawyer Street and 900 block of Merriam Street, more particularly described herein, from R-1 Residential Zone to R-2 Residential Zone. **(Deferred from 2/12/08. Not recommended for approval by Planning - see alternate version.)**

2008-019 Mike Cooke (from R-1 to R-2). An ordinance to amend Ordinance No. 6958, as amended, known as the Zoning Ordinance, so as to rezone tracts of land located in the 200 block of Sawyer Street and 900 block of Merriam Street, more particularly described herein, from R-1 Residential Zone to R-2 Residential Zone, subject to certain conditions. **(Recommended for approval by Planning.)**
 - c) 2008-030 City of Chattanooga, c/o City Engineer (Street Name Change). An ordinance to change the right-of-way name of the 400 block of West 6th Street to the 400 block of Gateway Avenue, more particularly described herein and as shown on the maps attached hereto and made a part hereof by reference. **(Recommended for approval by Planning.)**

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- d) 2008-032 Claudio Cesar R. Costa (From R-1 to R-3). An ordinance to amend Ordinance No. 6958, known as the Zoning Ordinance, so as to rezone a tract of land located at 4823 Winding Lane, more particularly described herein, from R-1 Residential Zone to R-3 Residential Zone. **(Recommended for denial by Planning.)**

- e) 2008-035 City of Chattanooga, c/o City Engineer (Street name Change.) An ordinance to change the right-of-way name of the 100 block of South Crest Road to the 3100 and 3200 blocks of Bragg Reservation, more particularly described herein and as shown on the map attached hereto and made a part hereof by reference. **(Recommended for denial by Planning. Recommended for approval by Staff.)**

- f) 2008-038 D&M Properties, c/o Monty Reeves & Don Walker (From R-1 to R-3). An ordinance to amend Ordinance No. 6958, known as the Zoning Ordinance, so as to rezone parts of tracts of land located at 7695 and 7701 Davidson Road, more particularly described herein, from R-1 Residential Zone to R-3 Residential Zone. **(Recommended for denial by Planning.)**

- g) 2008-039 Jan C. Pass, PE/Earthworx, LLC (From C-3 with Conditions to C-2). An ordinance to amend Ordinance No. 6958, known as the Zoning Ordinance, so as to rezone tracts of land located at 2100 block of Market Street, more particularly described herein, from C-3 Central Business Zone with Conditions to C-2 Convenience Commercial Zone. **(Not recommended for approval by Planning. Recommended for denial by Staff.)**

2008-039 Jan C. Pass, PE/Earthworx, LLC (From C-3 with Conditions to C-2). An ordinance to amend Ordinance No. 6958, known as the Zoning Ordinance, so as to rezone tracts of land located at 2100 block of Market Street, more particularly described herein, from C-3 Central Business Zone with Conditions to C-2 Convenience Commercial Zone, subject to certain conditions. **(Recommended for approval by Planning.)**

- h) 2008-040 City of Chattanooga, c/o City Engineer (Street Name Change). An ordinance to change the right-of-way name of an unnamed alley to the 2800 through 3000 blocks of Donna Lane, more particularly described herein and as shown on the maps attached hereto and made a part hereof by reference. **(Recommended for approval by Planning.)**

VII. Resolutions:

- a) A resolution authorizing the Office of Multicultural Affairs to sponsor the 2nd Annual Power of One Mayor's luncheon to be held on April 3, 2008 at The Chattanooga Hotel, including the sale of tables to said luncheon, authorizing all City departments to buy tables at said luncheon, and authorizing profits of said luncheon to be placed in an established Executive Programs Account for next year's annual Power of One Mayor's luncheon.

- b) A resolution authorizing the execution of Change Order No. 3 relative to Contract No. W-04-06-201, Miscellaneous Sanitary Sewer Requirements, with Mayse Construction Company, Inc., which change order increases the contract amount by \$69,626.80, for a revised contract amount not to exceed \$725,914.45, and authorizing the acceptance of a check in the amount of \$72,726.80 from Royal

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Chemical Company to the City of Chattanooga Interceptor Sewer for the relocation of sewer across their property.

- c) A resolution authorizing the Director of General Services to execute a Waiver of Reversionary Interest as to Easements granted by The Rivercity Company to Lovemans on Market, LLC on June 19, 2002, said easements recorded in Book 6283, Page 643, AND Book 6283, Page 659, Register's Office of Hamilton County, Tennessee, waiving any and all rights to claim a right of reversion to the property described on Exhibit A, attached hereto and made a part hereof by reference, but only with respect to the grant of easements received above.
- d) 2008-018 Mike Cooke (Prelim. PUD). A resolution approving a Preliminary Planned Unit Development Special Exceptions Permit for a proposed Planned Unit Development, known as the Stringers Ridge Planned Unit Development, Phase 1, on tracts of land located in the 700 block of High Ridge Road, more particularly described herein and as shown on the map and drawing attached hereto and made a part hereof by reference, subject to certain conditions. **(Deferred from 2/12/08.)**
- e) 2008-020 Mike Cooke (Prelim. PUD). A resolution approving a Preliminary Planned Unit Development Special Exceptions Permit for a proposed Planned Unit Development, known as the Stringers Ridge Planned Unit Development, Phase 2, on tracts of land located in the 700 block of High Ridge Road, more particularly described herein and as shown on the map and drawing attached hereto and made a part hereof by reference, subject to certain conditions. **(Deferred from 2/12/08.)**
- f) 2008-021 Mike Cooke (Prelim. PUD). A resolution approving a Preliminary Planned Unit Development Special Exceptions Permit for a proposed Planned Unit Development, known as the Stringers Ridge Planned Unit Development, Phase 3, on tracts of land located in the 1000 block of Purple Hill Drive, more particularly described herein and as shown on the map and drawing attached hereto and made a part hereof by reference, subject to certain conditions. **(Deferred from 2/12/08.)**
- g) 2008-024 Mike Cooke (Abandon PUD). A resolution approving abandonment of a Multi-Family Housing Planned Unit Development Special Exceptions Permit on tracts of land located in the 1000 block of Purple Hill Drive, more particularly described herein and as shown on the map and drawing attached hereto and made a part hereof by reference, in order to create a new Stringers Ridge Planned Unit Development. **(Deferred from 2/12/08.)**
- h) A resolution authorizing the award of Contract No. E-08-001-201, Riverfront Parkway Roadway Modifications, to Yerbey Concrete Construction, Inc. in the amount of \$328,249.25, plus a contingency amount of \$32,825.75, for a contract amount not to exceed \$361,075.00. **(Approved per Councilman Page.)**
- i) A resolution to extend the special exceptions permit for a Planned Unit Development known as The Palms Planned Unit Development, referred to in City Council Resolution Number 24579, on tracts of land located in the 6900 block of Delbert Lane, the 1500 block of North Concord Road and the 3800 block of Interstate 75. **(Approved per Councilman Page.)**

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- j) A resolution to approve the request of the 700 Block Development Partners, LLC for the temporary usage of a portion of the 700 block of Market Street and an unnamed alley from 7th Street to the dead end to temporarily installed a safety fencing to remain for a period of approximately 18 months during the demolition and reconstruction of structures, as described on the attached Exhibit “A” and “B”, subject to applicant providing copies of a written agreement with the other users of the alley for alternate provisions for their services, excluding parking. **(Approved per Councilman Page.)**

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 & 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, March 18, 2008.

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

XIV. Adjournment.

XV. Agenda Session for Tuesday, March 18, 2008:

AGENDA FOR TUESDAY, MARCH 18, 2008

1. Call to Order.
2. Pledge of Allegiance/Invocation (Councilwoman Robinson).
3. Minute Approval.
4. Special Presentations.
5. Ordinances - Final Reading:
 - a) 2007-182 City of Chattanooga c/o RPA. An ordinance to amend Ordinance No. 6958, as amended, known as the Zoning Ordinance, so as to rezone specific R-3 Residential Zone and R-4 Special Zone properties within the Fort Wood area, which is bounded on the north by East 5th Street, on the south by McCallie Avenue, on the east by Central Avenue, and on the west by Palmetto Street, more particularly described herein, to R-3MD Moderate Density Zone and R-4 Special Zone with conditions, subject to certain conditions. **(Deferred 91 days from 12-18-07).**
6. Ordinances – First Reading:
 - a) An ordinance to amend Chattanooga City Code, Part II, Chapter 11, by adding Section 291 to restrict the use of large vehicles and/or trailers in residential districts, areas neighborhoods and zones.
 - b) An ordinance to amend Part II, Chattanooga City Code, Chapter 19, by amending Section 19-91 regarding certification fees.
 - c) An ordinance to amend Part II, Chattanooga City Code, Chapter 27, by amending Section 27-61 regarding license fee.
 - d) An ordinance to amend Chattanooga City Code, Part II, Chapter 22.5, by amending Section 22.5-55 regarding license fee.
 - e) MR-2007-096 City of Chattanooga, c/o Steve Leach (Close & Abandon). An ordinance closing and abandoning the Watson Properties for the abandonment of a part of the 100 block of East 22nd Street, the 2000 block of Read Street, part of the 2200 block of Baldwin Street and an unopened alley located on the south line of the 100 block of East 22nd Street with Tennessee American Water, Electric Power Board, AT&T Southeast & Comcast to maintain an easement in the full width, as referenced in Case No. 2007-096.
 - f) MR-2007-177 City of Chattanooga, c/o Steve Leach (Close & Abandon). An ordinance closing and abandoning at the request of D&M Properties, LLC two unopened alleys located between the 2800 blocks of East 49th Street and East 50th Street as referenced in Case No. 2007-177, subject to AT&T Southeast and Chattanooga Gas maintaining an easement over the full width, approval of request is also subject to the conditions.

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- g) MR-2007-183 City of Chattanooga, c/o Steve Leach (Close & Abandon). An ordinance closing and abandoning a portion of sewer line number 11454 beginning as its intersection with the south line of the 1500 block of East 41st Street, as referenced in case No. 2007-183, including the conditions and more particularly described herein and as shown on the map and drawing attached hereto and made a part hereof by reference.
- h) MR-2007-202 City of Chattanooga, c/o Steve Leach (Close & Abandon). An ordinance closing and abandoning at the request of Hudson Companies, Inc. the unopened 1600 block of Vine Street, as referenced in Case No. 2007-202. A temporary usage of right-of-way is recommended.
- i) MR-2008-022 City of Chattanooga, c/o Steve Leach (Close & Abandon). An ordinance closing and abandoning a portion of sewer line and easement #50377 located in the 100 block of Parmenas Lane, as referenced in Case No. 2008-022, also, subject to the relocation of the sanitary sewer.
- j) An ordinance to amend Chattanooga City Code, Part II, Chapter 31, Section 31-325, land filling requirements in certain residential areas. **(Deferred from 2-12-08).**

7. Resolutions:

- a) A resolution authorizing the Administrator of the Department of Public Works to enter into an agreement with Volkert and Associates, Inc. relative to Contract No. E-03-007-104, Wilcox Boulevard Tunnel Roadway Modifications, in an amount not to exceed \$205,000.00.
- b) A resolution authorizing Richard Butler to use temporarily a right-of-way of the entrance of the Heritage Ridge Subdivision located off Cassandra Road to install an entry sign and a 20 ft. flag pole, as shown on the attached drawing.
- c) A resolution authorizing the appointment of Kent Gilley as special policeman (armed) for Erlanger Health Systems, Hospital Police, to do special duty as prescribed herein, 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 & 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, March 25, 2008.
13. Recognition of Persons Wishing to Address the Council on Non-Agenda Matters.
14. Adjournment.