

**AGENDA FOR TUESDAY, APRIL 7, 2009**

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

**"National Fair Housing Month"  
Proclamation by Mayor Littlefield**

- V. Ordinances – Final Reading:
- VI. Ordinances – First Reading:

- a) MR-2008-155 Grady H. Dagnan (Close & Abandon). An ordinance closing and abandoning a portion of the unopened 300 block of Delawanna Terrace, more particularly described herein and as shown on the map and drawing attached hereto and made a part hereof by reference. **(Not recommended for approval by Planning or Public Works – see alternate versions.)**

MR-2008-155 Grady H. Dagnan (Close & Abandon). An ordinance closing and abandoning a portion of the unopened 300 block of Delawanna Terrace, 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. **(Recommended for approval by Planning.) (Smaller area to be abandoned and includes Public Works' conditions.)**

MR-2008-155 Grady H. Dagnan (Close & Abandon). An ordinance closing and abandoning a portion of the unopened 300 block of Delawanna Terrace, 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. **(Recommended for approval by Public Works.) (Total area applied for with Public Works' conditions.)**

- VII. Resolutions:

- a) A resolution authorizing the Chief of Police to accept a Buffer Zone Protection Plan grant from the Tennessee Department of Homeland Security in the amount of \$192,410.17 for the purpose of purchasing equipment for the Department to prepare for any incident at a critical infrastructure site.
- b) A resolution authorizing the Mayor to execute all documents necessary relative to a grant from the U.S. Department of Commerce, Economic Development Administration, requested by Hamilton County for Enterprise South Industrial Park rail improvements, and authorizing the payment of one-half (½) of the required local match in an amount not to exceed \$1,000,000.00 from the City.

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- c) A resolution authorizing the Administrator of the Department of Parks and Recreation to execute an agreement with and accept a donation from BI-LO, LLC in the amount of \$16,000.00 to sponsor 12 free youth camps, plus 5 specialty weeklong youth summer camps and a teen basketball league.
  - d) A resolution authorizing Bob Brown, on behalf of the Hickory Creek Townhomes Association, to use temporarily the 2400 block of Hickory Valley Road to beautify and install a sign in the subdivision front entrance island, as shown on the drawing attached hereto and made a part hereof by reference, subject to certain conditions.
  - e) A resolution authorizing Mitch Patel, on behalf of Hampton Inn, to use temporarily the 400 block of Chestnut Street for canopies and parapets that overhang into the right-of-way, as shown on the drawings attached hereto and made a part hereof by reference, subject to certain conditions.
  - f) A resolution authorizing the Mayor and the Administrator of the Department of Parks and Recreation to enter into an Interlocal Agreement with Hamilton County to purchase and install a playground for the City at the John A. Patten Recreation Center, with the City contributing \$30,000.00 towards the total estimated cost of \$100,000.00 for this playground. **(Added by permission of Councilwoman Bennett.)**
  - g) A resolution requesting the assistance of the Governor, the Legislature, and the Department of Children's Services to establish a juvenile treatment facility in the Hamilton County area. **(Added by permission of the Legal and Legislative Committee.)**
  - h) a resolution accepting and adopting a mission statement, goals, and objectives for the fiscal year 2010 budget. **(added by the budget and finance committee.)**
  - i) A resolution rescinding Resolution No. 25853 which awarded Contract No. R-07-005, Warner Park Ball Field Complex, Phase II Landscaping, to Outdoor, Inc., and authorizing the award of said contract to Ooltewah Nursery in the amount of \$55,876.55, plus a contingency amount of \$10,775.31, for a total amount not to exceed \$64,651.86. **(Added by permission of Council Chair Bennett.)**
- 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.

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- X. Other Business.
- XI. Committee Reports.
- XII. Agenda Session for Tuesday, April 14, 2009.
- XIII. Recognition of Persons Wishing to Address the Council on Non-Agenda Matters.
- XIV. Adjournment.

XII. Agenda Session for Tuesday, April 14, 2009:

**AGENDA FOR TUESDAY, APRIL 14, 2009**

1. Call to Order.
2. Pledge of Allegiance/Invocation (Councilwoman Gaines)
3. Minute Approval.
4. Special Presentations.
5. Ordinances - Final Reading:
  - a) MR-2008-155 Grady H. Dagnan (Close & Abandon). An ordinance closing and abandoning a portion of the unopened 300 block of Delawanna Terrace, more particularly described herein and as shown on the map and drawing attached hereto and made a part hereof by reference. **(Not recommended for approval by Planning or Public Works – see alternate versions.)**

MR-2008-155 Grady H. Dagnan (Close & Abandon). An ordinance closing and abandoning a portion of the unopened 300 block of Delawanna Terrace, 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. **(Recommended for approval by Planning.) (Smaller area to be abandoned and includes Public Works' conditions.)**

MR-2008-155 Grady H. Dagnan (Close & Abandon). An ordinance closing and abandoning a portion of the unopened 300 block of Delawanna Terrace, 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. **(Recommended for approval by Public Works.) (Total area applied for with Public Works' conditions.)**
6. Ordinances – First Reading:
  - a) An ordinance to amend Ordinance No. 6958, as amended, known as the Zoning Ordinance, by amending Article II to revise the definitions of “Bed and Breakfast” and “Boarding House” and amending Article V, Sections 302(2) and 404(2) to provide for lot area requirements for bed and breakfast establishments in R-3 Residential Zone and R-4 Special Zone.
  - b) An ordinance to amend Ordinance No. 6958, as amended, known as the Zoning Ordinance, by amending Article II by deleting the definitions of “Guest House,” “Motor Camp,” and “Tourist Home” and adding a definition for “Short-Term Vacation Rental,” and amending Article V, Sections 201 and 401, to include Short-Term Vacation Rental as a permitted use.
  - c) An ordinance to amend Ordinance No. 6958, as amended, known as the Zoning Ordinance, by amending Articles V and VI by providing for a Revocable Special Exceptions Permit for Non-Profit Heritage Educational Facilities and to allow said use in certain zones.

- d) 2008-114 Mehdi Malekzadeh (from R-1 to R-4). An ordinance to amend Ordinance No. 6958, known as the Zoning Ordinance, so as to rezone a tract of land located at 6709 Shallowford Road, more particularly described herein and as shown on the map attached hereto and made a part hereof by reference, from R-1 Residential Zone to R-4 Special Zone. **(Deferred from 10-14-08. Recommended for denial by Planning.)**
- e) 2009-020 A. C. Properties, Inc. (From M-1 to C-3). An ordinance to amend Ordinance No. 6958, known as the Zoning Ordinance, so as to rezone a tract of land located at 1908 Cowart Street, more particularly described herein and as shown on the map attached hereto and made a part hereof by reference, from M-1 Manufacturing Zone to C-3 Central Business Zone. **(Not recommended for approval by Planning – see alternate version.)**
- 2009-020 A. C. Properties, Inc. (From M-1 to C-3). An ordinance to amend Ordinance No. 6958, known as the Zoning Ordinance, so as to rezone a tract of land located at 1908 Cowart Street, more particularly described herein and as shown on the map attached hereto and made a part hereof by reference, from M-1 Manufacturing Zone to C-3 Central Business Zone, subject to certain conditions. **(Recommended for approval by Planning.)**
- f) 2009-026 Ray A. Smith (from R-4 to R-2). An ordinance to amend Ordinance No. 6958, known as the Zoning Ordinance, so as to rezone a tract of land located at 328 Browns Ferry Road, more particularly described herein and as shown on the map attached hereto and made a part hereof by reference, from R-4 Special Zone to R-2 Residential Zone. **(Recommended for approval by Planning.)**
- g) 2009-027 Tina Harvey Crawford (from R-1 & M-1 to R-4). An ordinance to amend Ordinance No. 6958, known as the Zoning Ordinance, so as to rezone a tract of land located at 400 Garden Road, more particularly described herein and as shown on the map and drawings attached hereto and made a part hereof by reference, from R-1 Residential Zone and M-1 Manufacturing Zone to R-4 Special Zone. **(Recommended for denial by Planning, but recommended for a Special Exceptions Permit – see Resolution 7(e) below.)**
- h) 2009-029 W. C. Helton (from R-3 to R-4). An ordinance to amend Ordinance No. 6958, known as the Zoning Ordinance, so as to rezone a tract of land located at 200 East 37<sup>th</sup> Street, more particularly described herein and as shown on the map attached hereto and made a part hereof by reference, from R-3 Residential Zone to R-4 Special Zone. **(Not recommended for approval by Planning – see alternate version.)**
- 2009-029 W. C. Helton (from R-3 to R-4). An ordinance to amend Ordinance No. 6958, known as the Zoning Ordinance, so as to rezone a tract of land located at 200 East 37<sup>th</sup> Street, more particularly described herein and as shown on the map attached hereto and made a part hereof by reference, from R-3 Residential Zone to R-4 Special Zone, subject to certain conditions. **(Recommended for approval by Planning.)**

- i) 2009-034 Robert Hall (from R-1 to R-4). An ordinance to amend Ordinance No. 6958, known as the Zoning Ordinance, so as to rezone a tract of land located at 1101 Greens Road, more particularly described herein and as shown on the map and drawing attached hereto and made a part hereof by reference, from R-1 Residential Zone to R-4 Special Zone. **(Recommended for denial by Planning. Not recommended for approval by Staff – see alternate version.)**

2009-034 Robert Hall (from R-1 to R-4). An ordinance to amend Ordinance No. 6958, known as the Zoning Ordinance, so as to rezone a tract of land located at 1101 Greens Road, more particularly described herein and as shown on the map and drawing attached hereto and made a part hereof by reference, from R-1 Residential Zone to **O-1 Office Zone**, subject to certain conditions. **(Recommended for denial by Planning. Recommended for approval by Staff.)**

- j) 2009-035 Flournoy Development Company (Lift Conditions). An ordinance to amend Ordinance No. 6958, known as the Zoning Ordinance, so as to lift the conditions imposed in Ordinance No. 12184 (Case No. 2008-179) on tracts of land located in the 7200 block of East Brainerd Road and the 1200 block of Panorama Drive, more particularly described herein and as shown on the map and drawings attached hereto and made a part hereof by reference. **(Not recommended for approval by Planning – see alternate version.)**

2009-035 Flournoy Development Company (Lift Conditions). An ordinance to amend Ordinance No. 6958, known as the Zoning Ordinance, so as to amend the conditions imposed in Ordinance No. 12184 (Case No. 2008-179) on tracts of land located in the 7200 block of East Brainerd Road and the 1200 block of Panorama Drive, 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.)**

- k) 2009-036 Thomas A. Austin (from R-1 to C-2). An ordinance to amend Ordinance No. 6958, known as the Zoning Ordinance, so as to rezone a tract of land located at 2123 Hamill Road, more particularly described herein and as shown on the map and drawing attached hereto and made a part hereof by reference, from R-1 Residential Zone to C-2 Convenience Commercial Zone. **(Recommended for denial by Planning, but recommended for O-1 Office Zone – see alternate version.)**

2009-036 Thomas A. Austin (from R-1 to C-2). An ordinance to amend Ordinance No. 6958, known as the Zoning Ordinance, so as to rezone a tract of land located at 2123 Hamill Road, more particularly described herein and as shown on the map and drawing attached hereto and made a part hereof by reference, from R-1 Residential Zone to **O-1 Office Zone**. **(Recommended for approval by Planning.)**

7. Resolutions:

- a) A resolution authorizing the Chief of Police to apply for and accept a grant from the Governor's Highway Safety Office in the amount of \$300,000.00 which will be used to purchase radar detectors and pay overtime for traffic enforcement with no local matching funds required.

- b) A resolution authorizing acceptance of permanent conservation easements from Hixson Medical Partners, LLC and Hixson Development Partners, LLC through the Trust for Public Land on portions of Lots 1 and 2, Morning Pointe Subdivision, as set forth in Exhibit A attached hereto and made a part hereof by reference, to be used as part of the Chattanooga Greenway System, and expressing the gratitude of the Mayor and City Council for said easements.
  - c) A resolution authorizing the award of Contract No. E-08-002-201, 2008 City Sidewalks Requirements Contract – CDBG, in the amount of \$268,508.00, plus a contingency amount of \$31,492.00, for a total amount not to exceed \$300,000.00.
  - d) A resolution adopting the Shallowford Road: Standifer Gap Road to Hickory Valley Road Policy, attached hereto and made a part hereof by reference.
  - e) 2009-027 Tina Harvey Crawford (Special Exceptions Permit). A resolution approving a Special Exceptions Permit for Non-Profit Heritage Educational Facility on a tract of land located at 400 Garden Road, 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. See Ordinance 6(g) above.)**
  - f) 2009-039 Signature Investments, LLC (Prelim. & Final PUD). A resolution approving a revised proposed Preliminary and Final Residential Planned Unit Development Special Exceptions Permit for a Planned Unit Development known as Longholm at Riverview Planned Unit Development, Lots 1-32, on tracts of land located in the 1100 and 1200 blocks of Longholm Court, 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.)**
  - g) 2009-043 City of Chattanooga, c/o Dan Thornton (Declare Surplus). A resolution declaring as surplus property on part of a tract of land located in the 500 block of Stringer Street, more particularly described herein and as shown on the map attached hereto and made a part hereof by reference, and authorizing correction of the legal description of said property. **(Recommended for approval by Planning.)**
  - h) 2009-045 City of Chattanooga, c/o Dan Thornton (Lease). A resolution authorizing the Director of General Services to enter into a Lease Agreement with Heather Wagner for property known as the “Little Greenhouse” located at 451 West Main Street, more particularly described herein and as shown on the map attached hereto and made a part hereof by reference, to maintain a greenhouse on the property. **(Recommended for approval by Planning.)**
8. Overtime Report.

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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.
11. Committee Reports.
12. Agenda Session for Tuesday, April 21, 2009
13. Recognition of Persons Wishing to Address the Council on Non-Agenda Matters.
14. Adjournment.