

REVISED AGENDA FOR TUESDAY, FEBRUARY 5, 2013

- I. Call to Order.
- II. Pledge of Allegiance/Invocation (Council Chairwoman Ladd).
- III. Minute Approval.
- IV. Special Presentation:

“Season for Nonviolence Kick-Off” by Missy Crutchfield

- V. Ordinances – Final Reading:
 - a) [An ordinance to amend Chattanooga City Code, Part II, Chapter 18, Garbage and refuse relating to service locations and special containers.](#)
 - b) [MR-2012-095 City of Chattanooga c/o Bill Payne \(Abandonment\). An ordinance closing and abandoning of a portion of the Buckley Street right-of-way between Chamberlain Avenue and Duncan Avenue, more particularly described herein. \(District 7.\)](#)
- VI. Ordinances – First Reading:
 - a) [An ordinance to amend Chattanooga City Code, Part II, Chapter 3, Section 3-55, relative to new scenic corridor. \(Revised.\)](#)
 - b) [An ordinance to amend Chattanooga City Code, Part II, Chapter 24, Section 502, relative to Schedule II – Speed on through streets.](#)
- VII. Resolutions:
 - a) [A resolution authorizing the Administrator of the Department of Public Works to enter into a contract for professional services with MWH Americas, Inc. for the formation of the Moccasin Bend Clean Water Authority, for an amount not to exceed \\$100,000.00. \(Deferred from 1/29/2013.\)](#)
 - b) [A resolution authorizing payment of a title search fee in the amount approved by Chancery Court per title search completed by title search personnel and such fee shall be added as a court cost to each delinquent tax parcel in accordance with the attached order by the Chancery Court of Hamilton County, Tennessee and any subsequent amendments to that Order.](#)
 - c) [A resolution authorizing the remand of the employee termination grievance of Michael Hoback to the Chief of Police of the City of Chattanooga. \(Added by permission of Council Chairwoman Ladd.\)](#)

- d) A resolution authorizing Alton Park Development Corporation c/o Elenora Wood to use temporarily the right-of-way located at 850 Market Street for the installation of a freestanding historical marker (recognition of the 1960 Civil Rights sit-in at nearby eateries) in a portion of the sidewalk adjacent to the south side of the bus shelter at the intersection of North M.L. King Boulevard, as shown on the drawings attached hereto and made a part hereof by reference, subject to certain conditions. (District 1.) (Added by permission of Council Vice-Chairman Murphy.)

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, February 12, 2013.

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

XIV. Adjournment.

AGENDA FOR TUESDAY, FEBRUARY 12, 2013

1. Call to Order.
2. Pledge of Allegiance/Invocation (Councilman Benson)
3. Minute Approval.
4. Special Presentation:
5. Ordinances - Final Reading:
 - a) [An ordinance to amend Chattanooga City Code, Part II, Chapter 3, Section 3-55, relative to new scenic corridor.](#)
 - b) [An ordinance to amend Chattanooga City Code, Part II, Chapter 24, Section 502, relative to Schedule II – Speed on through streets.](#)
6. Ordinances – First Reading:
 - a) [2012-089 Napier Associates/Defoor Brothers Development, LLC/Gunbarrel Partners/Waterside Property Investment, LLC \(R-1 Residential Zone and MXU Zone to C-4 Planned Commerce Center Zone\). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone parts of properties located at 2351, 2417, 2424, 2428, and 2440 Elam Lane; 2545 and 2565 Lifestyle Way; and 2515 and 2519 Gunbarrel Road, more particularly described herein, from R-1 Residential Zone and MXU Zone to C-4 Planned Commerce Center Zone, subject to certain conditions. \(Recommended for approval by Planning and Staff.\) \(District 4.\)](#)

[2012-089 Napier Associates/Defoor Brothers Development, LLC/Gunbarrel Partners/Waterside Property Investment, LLC \(R-1 Residential Zone and MXU Zone to C-4 Planned Commerce Center Zone\). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone parts of properties located at 2351, 2417, 2424, 2428, and 2440 Elam Lane; 2545 and 2565 Lifestyle Way; and 2515 and 2519 Gunbarrel Road, more particularly described herein, from R-1 Residential Zone and MXU Zone to C-4 Planned Commerce Center Zone. \(Applicant Version.\)](#)
 - b) [2013-008 Napier Associates/Defoor Brothers \(Amend Conditions.\) An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to amend conditions of Case No. 2012-014 to change MXU Boundary and Plan on properties located in the 2300 and 2400 blocks of Gunbarrel Road, being more particularly described herein, subject to certain conditions. \(Recommended for approval by Planning and Staff.\) \(District 4.\)](#)

2013-008 Napier Associates/Defoor Brothers (Amend Conditions.) An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to amend conditions of Case No. 2012-014 to change MXU Boundary and Plan on properties located in the 2300 and 2400 blocks of Gunbarrel Road, being more particularly described herein. (Applicant Version.)

- c) 2013-009 Taqi Ali Mirza and Ron Morrer/Susan Higley (C-2 Convenience Commercial Zone and M-2 Light Industrial Zone to M-1 Manufacturing Zone). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone properties located at 1951 and 2017 Dodson Avenue, more particularly described herein, from C-2 Convenience Commercial Zone and M-2 Light Industrial Zone to M-1 Manufacturing Zone, subject to certain conditions. (Recommended for approval by Planning and denial by Staff.) (District 8.)

2013-009 Taqi Ali Mirza and Ron Morrer/Susan Higley (C-2 Convenience Commercial Zone and M-2 Light Industrial Zone to M-1 Manufacturing Zone). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone properties located at 1951 and 2017 Dodson Avenue, more particularly described herein, from C-2 Convenience Commercial Zone and M-2 Light Industrial Zone to M-1 Manufacturing Zone. (Applicant Version.)

- d) 2013-013 Grace Episcopal Church/Randy Durham (R-1 Residential Zone to C-2 Convenience Commercial Zone). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone properties located at 4018, 4022, and 4026 Brainerd Road, more particularly described herein, from R-1 Residential Zone to C-2 Convenience Commercial Zone, subject to certain conditions. (Recommended for approval by Planning.) (District 6.)

2013-013 Grace Episcopal Church/Randy Durham (R-1 Residential Zone to C-2 Convenience Commercial Zone). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone properties located at 4018, 4022, and 4026 Brainerd Road, more particularly described herein, from R-1 Residential Zone to C-2 Convenience Commercial Zone, subject to certain conditions. (Recommended for approval by Staff.)

2013-013 Grace Episcopal Church/Randy Durham (R-1 Residential Zone to C-2 Convenience Commercial Zone). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone properties located at 4018, 4022, and 4026 Brainerd Road, more particularly described herein, from R-1 Residential Zone to C-2 Convenience Commercial Zone. (Applicant Version.)

- e) 2013-015 Hole Foods, LLC c/o Rob Renner/Dr. Gene Rudnick (O-1 Office Zone and R-1 Residential Zone to C-2 Convenience Commercial Zone). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone property located at 7737 East Brainerd Road, more particularly described herein, from O-1 Office Zone and R-1 Residential Zone to C-2 Convenience Commercial Zone. (Recommended for approval by Planning and Staff.) (District 4.)

- f) 2013-016 Ragan-Smith Associates/Brant Enderle (R-1 Residential Zone to R-3 Residential Zone). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone properties located in the 3800 block of Cummings Road, more particularly described herein, from R-1 Residential Zone to R-3 Residential Zone, subject to certain conditions. (Recommended for approval by Planning and Staff.) (District 1.)

2013-016 Ragan-Smith Associates/Brant Enderle (R-1 Residential Zone to R-3 Residential Zone). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone properties located in the 3800 block of Cummings Road, more particularly described herein, from R-1 Residential Zone to R-3 Residential Zone. (Applicant Version.)

- g) MR-2012-158 Alan Haniszewski-RTB Holdings (Abandonment). An ordinance closing and abandoning of a portion of an unopened right-of-way located in the 1900 block of Jefferson Street, more particularly described herein, subject to certain conditions. (District 7.)

7. Resolutions:

- a) A resolution authorizing Community Pie c/o Taylor Mohen to use temporarily the right-of-way located at 850 Market Street for the installation of two lighted signs at a commercial establishment, as shown on the drawings attached hereto and made a part hereof by reference, subject to certain conditions. (District 8.)
- b) A resolution authorizing the Gang Task Force Coordinator to enter into a discounted contract with WTCI for the production of a Gang Task Force Mentoring Roundtable Program, in the amount of \$10,000.00.
- c) A resolution authorizing the appointment of Mark Heinzer as a special police officer (unarmed) for the City of Chattanooga Public Works Department, to do special duty as prescribed herein, subject to certain conditions.
- d) 2013-014 B & L Builders (Special Exceptions Permit). A resolution approving a Special Exceptions Permit for a Preliminary and Final Residential Planned Unit Development on properties located at 7435 and 7437 Pinewood Drive, subject to certain requirements attached. (District 4.)
- e) 2013-017 Ragan-Smith Associates/Brant Enderle (Special Exceptions Permit). A resolution approving a Special Exceptions Permit for a Single Family Preliminary Planned Unit Development on properties located in the 3800 block of Cummings Road, subject to certain requirements attached. (District 1.)

8. Overtime Report.

9. Departmental Reports:

- a) Department of Human Services.

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- 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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- 10. Other Business.
 - 11. Committee Reports.
 - 12. Agenda Session for Tuesday, February 19, 2013.
 - 13. Recognition of Persons Wishing to Address the Council on Non-Agenda Matters.
 - 14. Adjournment.