

## AGENDA FOR TUESDAY, FEBRUARY 5, 2008

- I. Call to Order.
- II. Pledge of Allegiance/Invocation (Councilman Benson).
- III. Minute Approval.
- IV. Special Presentations.
- V. Ordinances – Final Reading:
  - a) An ordinance to amend Chattanooga City Code, Part II, Chapter 3, Section 3-100, relative to signs, to allow the Director of the Land Development Office or designee to waive certain requirements for major mixed-use developments located in the downtown C-3 Central Business Zone under certain conditions.
  - b) An ordinance appropriating from the Capital Projects Fund to Friends of the Zoo, Inc. an amount not to exceed \$2,000,000.00 to be used for site improvements to the Chattanooga Zoo and authorizing the Administrator of the Department of Parks and Recreation to enter into an agreement with Friends of the Zoo, Inc. to reimburse the City an amount not to exceed \$2,000,000.00 over a term of five (5) years.
  - c) An ordinance to amend Chattanooga City Code, Part II, Chapter 2, Section 2-178 relative to unresolved grievances of City employees.
  - d) MR-2007-133 Ken DeFoor (Close & Abandon). An ordinance closing and abandoning a portion of a twenty-foot (20') sanitary sewer easement located on a tract of land located at 7315 Shallowford Road, more particularly described herein and as shown on the map and drawing attached hereto and made a part hereof by reference.
  - e) 2007-222 City of Chattanooga (from R-1, R-2, R-3, & R-4 to R-1, R-3, R-3 w/conditions, & R-4 w/conditions). An ordinance to amend Ordinance No. 6958, as amended, known as the Zoning Ordinance, so as to rezone specific R-1 Residential Zone, R-2 Residential Zone, R-3 Residential Zone, and R-4 Special Zone properties within the North Shore Zoning Study, Phase One, more particularly described herein, to R-1 Residential Zone, R-3 Residential Zone, R-3 Residential Zone with Conditions, and R-4 Special Zone with Conditions, subject to said Zoning Study. **(Recommended for approval by Planning.) (An alternate version concerning Parcel 135D-M-020 (602 Forest Avenue) has been included. - The alternate version was approved on 1-8-08.)**
- VI. Ordinances – First Reading:
  - a) An ordinance to amend Chattanooga City Code, Part II, Chapter 31, Section 31-325, Landfilling Requirements in certain residential areas. **(Deferred from 12-4-07, 1-8-08, and 1-22-08. Revised.)**
  - b) An ordinance appropriating from the General Fund to Siskin Hospital the amount of \$1,000.00 to support the 5<sup>th</sup> Annual Siskin Institute's Possibilities Luncheon to be held on February 13, 2008.

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- c) An ordinance to amend the Chattanooga City Code, Part II, Chapter 2, Sections 2-544, 2-545, and 2-546, regarding notification procedures for unclaimed personal property, method of disposal of unclaimed personal property, and disposition of proceeds from sales of unclaimed personal property. **(Added by permission of the Public Works Committee.)**
- d) MR-2007-203 City of Chattanooga c/o William Payne (Close & Abandon). An ordinance closing and abandoning a 24" sanitary sewer line and 72" CSO line easement on properties located in the 2800 block of Asbury Park, more particularly described herein and as shown on the map and drawing attached hereto and made a part hereof by reference. **(Recommended for approval by Planning and Public Works.)**

### VII. Resolutions:

- a) A resolution authorizing the Mayor to apply for and, if awarded, accept a Tennessee Department of Environment and Conservation Grant jointly with Hamilton County, Tennessee, to develop a visitors' center at Enterprise South Nature Park, and authorizing the City's share of local matching funds in an amount not to exceed \$125,000.00.
- b) A resolution authorizing the Administrator of the Department of Parks and Recreation to enter into a non-financial partnership agreement with Signal Centers for the purpose of establishing a Work Experience Program through the various working divisions of the Department.
- c) A resolution authorizing the Administrator of the Department of Neighborhood Services and Community Development to enter into a contract with The Chattanooga for use of its facilities to host the 10<sup>th</sup> Annual Professional Codes Conference for August 14-15, 2008 in an amount not to exceed \$23,000.00.
- d) A resolution authorizing the Administrator of the Department of Neighborhood Services and Community Development to extend the contract with J-Quad Planning Group to conduct Property Conditions Surveys and develop related program initiatives for 18 selected neighborhoods through April 1, 2008 at no additional cost.
- e) A resolution amending Resolution No. 25370, entitled "A resolution declaring as surplus tracts of land located in the 1100 block of Lindsay Street, more particularly described herein and as shown on the map attached hereto and made a part hereof by reference," so as to correct the legal description in same.
- f) A resolution supporting the application of the 28<sup>th</sup> Legislative District Community Development Corporation for federal funding to assist with the cost of renovating a structure located at 815 North Hickory Street in the Bushtown Community to house a Resource and Enterprise Complex to promote local economic growth by providing important services and opportunities to the residents of the Bushtown Community and Chattanooga as a whole. **(Added by permission of Council Chair Page.)**
- g) MR-2008-008 City of Chattanooga (Declare Surplus). A resolution declaring as surplus property located at 730 Chestnut Street, more particularly described herein and as shown on the map attached hereto and made a part hereof by reference.

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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, 2008.

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

XIV. Adjournment.

XII. Agenda Session for Tuesday, February 12, 2008:

**AGENDA FOR TUESDAY, FEBRUARY 12, 2008**

1. Call to Order.
2. Pledge of Allegiance/Invocation (Councilman Franklin).
3. Minute Approval.
4. Special Presentations.
5. Ordinances - Final Reading:
  - a) An ordinance to amend Chattanooga City Code, Part II, Chapter 31, Section 31-325, Landfilling Requirements in certain residential areas. **(Deferred from 12-4-07, 1-8-08, and 1-22-08. Revised.)**
  - b) An ordinance appropriating from the General Fund to Siskin Hospital the amount of \$1,000.00 to support the 5<sup>th</sup> Annual Siskin Institute's Possibilities Luncheon to be held on February 13, 2008.
  - c) MR-2007-203 City of Chattanooga c/o William Payne (Close & Abandon). An ordinance closing and abandoning a 24" sanitary sewer line and 72" CSO line easement on properties located in the 2800 block of Asbury Park, more particularly described herein and as shown on the map and drawing attached hereto and made a part hereof by reference. **(Recommended for approval by Planning and Public Works.)**
  - d) 2007-222 City of Chattanooga (from R-1, R-2, R-3, & R-4 to R-1, R-3, R-3 w/conditions, & R-4 w/conditions). An ordinance to amend Ordinance No. 6958, as amended, known as the Zoning Ordinance, so as to rezone specific R-1 Residential Zone, R-2 Residential Zone, R-3 Residential Zone, and R-4 Special Zone properties within the North Shore Zoning Study, Phase One, more particularly described herein, to R-1 Residential Zone, R-3 Residential Zone, R-3 Residential Zone with Conditions, and R-4 Special Zone with Conditions, subject to said Zoning Study. **(Recommended for approval by Planning.) (An alternate version concerning Parcel 135D-M-020 (602 Forest Avenue) has been included. - The alternate version was approved on 1-8-08.)**
6. Ordinances – First Reading:
  - a) An ordinance to amend Chattanooga City Code, Part II, Chapter 2, Section 2-517, relative to depositing of checks received by the City and dishonored checks.
  - b) An ordinance to amend Ordinance No. 6958, as amended, known as the Zoning Ordinance, by amending Article V, Section 1001(3) to allow certain Recycling Processing Centers by Industrial Conditional Permit in the M-1 Manufacturing Zone.

- c) 2007-221 Vision Chattanooga North Shore, LLC (Lift Conditions). An ordinance to amend Ordinance No. 6958, as amended, known as the Zoning Ordinance, so as to lift conditions imposed in Ordinance No. 11786 (Case No. 2005-227) on a tract of land located at 10 Cherokee Boulevard, more particularly described herein. **(Not recommended for approval by Planning - see alternate version.)**

2007-221 Vision Chattanooga North Shore, LLC (Amend Conditions). An ordinance to amend Ordinance No. 6958, as amended, known as the Zoning Ordinance, so as to amend conditions imposed in Ordinance No. 11786 (Case No. 2005-227) on a tract of land located at 10 Cherokee Boulevard, more particularly described herein, subject to certain conditions. **(Recommended for approval by Planning.)**

- d) 2008-002 City of Chattanooga, City Engineer (Street Name Change). An ordinance to change the right-of-way name of the 1200 block of Gifford Street to the 1200 block of Mister Avenue, more particularly described herein and as shown on the map attached hereto and made a part hereof by reference. **(Recommended for approval by Planning.)**

- e) 2008-003 City of Chattanooga, City Engineer (Street Name Change). An ordinance to change the right-of-way name of the 1000 block of North East King Street to the 200 block of Prosperity Lane, more particularly described herein and as shown on the map attached hereto and made a part hereof by reference. **(Recommended for approval by Planning.)**

- f) 2008-006 City of Chattanooga, City Engineer (Street Name Change). An ordinance to change the right-of-way name of the Unit block of East Crest Road to the 200 block of Sheridan Avenue, more particularly described herein and as shown on the map attached hereto and made a part hereof by reference. **(Recommended for approval by Planning.)**

- g) 2008-010 A. D. Engineering Services, Inc., c/o Donna Adams (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 626 Browns Ferry Road, more particularly described herein, from R-1 Residential Zone to M-2 Light Industrial Zone. **(Recommended for denial by Planning. Not recommended for approval by Staff - see alternate version.)**

2008-010 A. D. Engineering Services, Inc., c/o Donna Adams (from R-1 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 626 Browns Ferry 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.)**

- h) 2008-013 Edward E. Capehart, Sr. (from R-1 to M-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 812 Airport Road, more particularly described herein, from R-1 Residential Zone to M-1 Manufacturing Zone. **(Not recommended for approval by Planning - see alternate version.)**

2008-013 Edward E. Capehart, Sr. (from R-1 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 812 Airport 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)**

- i) 2008-014 Eastman Construction (from M-1 to C-3). An ordinance to amend Ordinance No. 6958, as amended, known as the Zoning Ordinance, so as to rezone tracts of land located in the Unit block of East 14<sup>th</sup> Street, more particularly described herein, from M-1 Manufacturing Zone to C-3 Central Business Zone. **(Not recommended for approval by Planning - see alternate version.)**

2008-014 Eastman Construction (from M-1 to C-3). An ordinance to amend Ordinance No. 6958, as amended, known as the Zoning Ordinance, so as to rezone tracts of land located in the Unit block of East 14<sup>th</sup> Street, more particularly described herein, from M-1 Manufacturing Zone to C-3 Central Business Zone, subject to certain conditions. **(Recommended for approval by Planning.)**

- j) 2008-017 Tom Cofer (from R-2 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 in the 5000 block of Highway 58, more particularly described herein, from R-2 Residential Zone to C-2 Convenience Commercial Zone. **(Recommended for approval by Planning.)**

- k) 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. **(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.)**

- l) 2008-029 City of Chattanooga, City Engineer (Street Name Change). An ordinance to change the right-of-way name of the 2100 block of Noah Street to Museum 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.)**

7. Resolutions:

- a) A resolution authorizing payment to Hamilton County, Tennessee, for the City's portion of the 2007-2008 insurance premiums for jointly owned and insured properties in an amount not to exceed \$11,776.46, according to the attached list of premium breakdowns.
- b) A resolution authorizing the Director of General Services to execute a Quitclaim Deed to re-convey property located on Rossville Avenue, Tax Map No. 145M-H-018, to Joe Sliger.

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- c) A resolution ratifying two (2) contracts between the Friends of the Zoo, Inc. and Pointe Construction relative to the Zoo Improvements Project totaling an amount not to exceed \$3,596,088.00.
- d) A resolution authorizing the Administrator of the Department of Education, Arts & Culture to enter into an Agreement with Franklin Associates Architects, Inc. to design, prepare for bid, and oversee the expansion and renovation of the ladies' and men's restroom facilities at the Tivoli Theatre for a fee amount not to exceed \$30,000.00.
- e) A resolution authorizing the execution of Change Order No. 1 relative to Contract No. S-06-009-102, Chattanooga Stormwater As-Found, with Earthworx, LLC, which change order increases the contract amount by \$195,000.00, for a revised contract amount not to exceed \$820,000.00.
- f) A resolution authorizing James E. Citty to use temporarily 518 Georgia Avenue to install awning, as shown on the drawing attached hereto and made a part hereof by reference, subject to certain conditions.
- g) 2007-135 C. T. Williams Contractors (Final PUD). A resolution approving a proposed Final Planned Unit Development Special Exceptions Permit for a Planned Unit Development known as Rivervista Planned Unit Development on tracts of land located in the Unit block of Rivervista Drive, 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.
- h) 2008-011 James Pratt (Prelim & Final PUD). A resolution approving a proposed Preliminary and Final Planned Unit Development Special Exceptions Permit for a Planned Unit Development known as The Reunion Planned Unit Development, Lots 31, 31A, 31B, 44A, and 44B, on tracts of land located at 1030 Reunion Drive, in the 8300 block of Lady Slipper Road, and the 8600 block of Winterberry 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.
- i) 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.
- j) 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.

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- k) 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.
  - l) 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.
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.
  11. Committee Reports.
  12. Agenda Session for Tuesday, February 19, 2008.
  13. Recognition of Persons Wishing to Address the Council on Non-Agenda Matters.
  14. Adjournment.