

AMENDED AGENDA FOR TUESDAY, MAY 12, 2009

- I. Call to Order.
- II. Pledge of Allegiance/Invocation (Councilwoman Ladd)
- III. Minute Approval.
- IV. Special Presentations.
- V. Ordinances – Final Reading:
 - a) An ordinance to amend Chattanooga City Code, Part II, Chapter 35, Vehicles for Hire, Section 35-17, to reconstitute the Transportation Board, and Section 35-55 relative to driver's permits.
 - b) 2009-028 Jimar Sanders (Miller & Martin, Attorneys) (Close & Abandon). An ordinance closing and abandoning a portion of the unopened 4400 block of Calhoun Avenue, more particularly described herein and as shown on the map attached hereto and made a part hereof by reference, subject to certain conditions.
- VI. Ordinances – First Reading:
 - a) An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, Section 38-2, Section 38-185, and Section 38-527, relative to the regulation of nightclubs.
 - b) An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, Article II, Article V, and Article VIII Definitions, to clarify use regulations for cemetery, cremation, crematory, columbarium, funeral home, mausoleum, mortuary, and undertaking.
 - c) An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, Section 38-171, to include "single-family detached dwellings" as a permitted use in the O-1 Office Zone.
 - d) An ordinance to amend Chattanooga City Code, Chapter 5, by adding a new Article VI, Sections 5-189 through 5-194, relative to Special Gathering Permits.
 - e) An ordinance to amend Chattanooga City Code, Part II, Chapter 22, Section 2-713 relative to the Advisory Board of Multicultural Affairs.
 - f) 2008-116 William W. Wise c/o Ronald Feldman (from M-1 & R-4 to C-3). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone a tract of land located at 120 Market 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 and R-4 Special Zone to C-3 Central Business Zone. **(Not recommended for approval by Planning – see alternate version.)**

2008-116 William W. Wise c/o Ronald Feldman (from M-1 & R-4 to C-3). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone a tract of land located at 120 Market 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 and R-4 Special Zone to C-3 Central Business Zone, subject to certain conditions. **(Recommended for approval by Planning.)**

- g) 2009-059 City of Chattanooga c/o City Council (from R-3 to R-1, R-3 & C-2 to R-1). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone tracts of land bounded on the north by the 1900 thru 2100 blocks of Citico Avenue, on the south by the 1900 thru 2200 blocks of McCallie Avenue, on the east by the 100 thru 300 blocks of North Lyerly Street and the 400 thru 700 blocks of Dodson Avenue, and on the west by the 100 thru 700 blocks of North Orchard Knob Avenue, more particularly described herein and as shown on the **maps** attached hereto and made a part hereof by reference, from R-3 Residential Zone to R-1 Residential Zone and from R-3 Residential Zone and C-2 Convenience Commercial Zone to R-1 Residential Zone. **(Recommended for approval by Planning.)**

VII. Resolutions:

- a) A resolution authorizing the Chief of Police to apply for and, if awarded, accept a grant from the Edward Byrne Memorial Competitive Grant Program for \$1,129,869.00, which will be used to hire and buy uniforms for 20 part-time police service technicians who will be assigned in positions that will supplement sworn police officers.
- b) A resolution rescinding Resolution No. 25876 and authorizing the Mayor to execute all documents necessary relative to a U.S. Economic Development Administration Grant in an amount of \$3,000,000.00 for Enterprise South Industrial Park Rail Improvements with the Chattanooga match not to exceed \$1,500,000.00.
- c) A resolution authorizing Jerry Gross to use temporarily 225 East 8th Street to install an awning, as shown on the drawing attached hereto and made a part hereof by reference, subject to certain conditions.
- d) A resolution authorizing the award of Contract No. E-08-027-201, Traffic Operations Re-Roofing Project to JDH Company, Inc., in the amount of \$77,799.11, plus a contingency amount of \$7,780.89, for a total amount not to exceed \$85,580.00.
- e) A resolution authorizing the Director of General Services to enter into an easement and license agreement with Cameron Harbor, LLC and Harbor Lodging for Marina Slips 1-37 in reference to the marina expansion in front of Parcels 135N-A-6.01 and 135N-A-005.
- f) A resolution authorizing the appointment of Robert Christopher Clark and Kiri Krupp as special police officers (unarmed) for Animal Care Trust d/b/a McKamey Animal Care and Adoption Center, Inc., to do special duty as prescribed herein, subject to certain conditions.

- g) 2008-216 Don Walker. A resolution approving a Special Exceptions Permit for a Preliminary Planned Unit Development on tracts of land located in the 4600 block of Heiskell Drive, 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. Recommended for denial by Staff.)**
- h) 2009-049 Jonathan Griffin. A resolution approving a Special Exceptions Permit for a duplex in an R-1 Residential Zone on a tract of land located at 1740 Ocoee Street, more particularly described herein and as shown on the map attached hereto and made a part hereof by reference. **(Recommended for denial by Planning.)**
- i) 2009-056 Atlas Developers, LLC. A resolution approving a Special Exceptions Permit for a Preliminary and Final Planned Unit Development, known as the Andover Place Planned Unit Development, Lots 1 through 33, on tracts of land located in the 1600 thru 1800 blocks of Andover Place, 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.)**
- j) **A resolution authorizing the Administrator of the Department of Parks and Recreation to enter into an agreement with Lose & Associates, Inc. to provide professional design services for expansion of Heritage Park at 1428 Jenkins Road in East Brainerd in an amount not to exceed \$15,000.00. (Added by permission of Council Chair Benson.)**
- k) **A resolution authorizing the City Finance Officer to execute an Application and Agreement to Participate in the State of Tennessee Local Government Investment Pool (LGIP) as an alternate investment option. (Added by permission of Council Chair Benson.)**

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, May 19, 2009.

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

XIV. Adjournment.

XII. Agenda Session for Tuesday, May 19, 2009:

AGENDA FOR TUESDAY, MAY 19, 2009

1. Call to Order.
2. Pledge of Allegiance/Invocation (Council Chair Benson)
3. Minute Approval.
4. Special Presentations.
5. Ordinances - Final Reading:
 - a) An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, Section 38-2, Section 38-185, and Section 38-527, relative to the regulation of nightclubs.
 - b) An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, Article II, Article V, and Article VIII Definitions, to clarify use regulations for cemetery, cremation, crematory, columbarium, funeral home, mausoleum, mortuary, and undertaking.
 - c) An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, Section 38-171, to include "single-family detached dwellings" as a permitted use in the O-1 Office Zone.
 - d) An ordinance to amend Chattanooga City Code, Chapter 5, by adding a new Article VI, Sections 5-189 through 5-194, relative to Special Gathering Permits.
 - e) An ordinance to amend Chattanooga City Code, Part II, Chapter 22, Section 2-713 relative to the Advisory Board of Multicultural Affairs.
 - f) 2008-116 William W. Wise c/o Ronald Feldman (from M-1 & R-4 to C-3). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone a tract of land located at 120 Market 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 and R-4 Special Zone to C-3 Central Business Zone. **(Not recommended for approval by Planning – see alternate version.)**

2008-116 William W. Wise c/o Ronald Feldman (from M-1 & R-4 to C-3). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone a tract of land located at 120 Market 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 and R-4 Special Zone to C-3 Central Business Zone, subject to certain conditions. **(Recommended for approval by Planning.)**

- g) 2009-059 City of Chattanooga c/o City Council (from R-3 to R-1, R-3 & C-2 to R-1). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone tracts of land bounded on the north by the 1900 thru 2100 blocks of Citico Avenue, on the south by the 1900 thru 2200 blocks of McCallie Avenue, on the east by the 100 thru 300 blocks of North Lyerly Street and the 400 thru 700 blocks of Dodson Avenue, and on the west by the 100 thru 700 blocks of North Orchard Knob Avenue, more particularly described herein and as shown on the maps attached hereto and made a part hereof by reference, from R-3 Residential Zone to R-1 Residential Zone and from R-3 Residential Zone and C-2 Convenience Commercial Zone to R-1 Residential Zone per the Zoning Study attached hereto and made a part hereof by reference. **(Recommended for approval by Planning.)**

6. Ordinances – First Reading:

- a) MR-2008-106 Bennie Parker (Close & Abandon). An ordinance closing and abandoning the 1600 block of Brown 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 – see alternate version. Recommended for denial by Staff.)**

MR-2008-106 Bennie Parker (Close & Abandon). An ordinance closing and abandoning the 1600 block of Brown Street, 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.)**

- b) MR-2009-002 Ben Parker (Close & Abandon). An ordinance closing and abandoning an unopened alley located on the south line of the 1600 block of East 28th 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 – see alternate version.)**

MR-2009-002 Ben Parker (Close & Abandon). An ordinance closing and abandoning an unopened alley located on the south line of the 1600 block of East 28th Street, 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.)**

7. Resolutions:

- a) **A resolution amending Resolution No. 25834 by changing the amount of Fiscal Year 2009-2010 Community Development Block Grant and Home Investment Partnership Act funds to be awarded by the U.S. Department of Housing and Urban Development (HUD) and program income from a total of \$3,008,000.00 to a total of \$3,529,529.00; changing the amount of Emergency Shelter Grant funds to be awarded by the Tennessee Housing Development Agency (THDA) from \$85,000.00 to \$84,000.00; and changing the distribution of the funds as shown more fully hereinbelow. (Added by permission of Council Chair Benson.)**

- b) A resolution authorizing the Department of Neighborhood Services and Community Development to submit an application in response to the Department of Housing and Urban Development's (HUD's) Notice of Fund Availability (NOFA) for the Neighborhood Stabilization Program (NSP2) under the American Recovery and Reinvestment Act of 2009 in an amount not less than \$5,000,000.00 and, if awarded, to accept and manage the grant funds. (Added by permission of Council Chair Benson.)**

- 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, May 26, 2009

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

- 14. Adjournment.