

**AMENDED AGENDA FOR TUESDAY, OCTOBER 11, 2011**

- I. Call to Order.
- II. Pledge of Allegiance/Invocation (Councilman Gilbert)
- III. Minute Approval.
- IV. Special Presentations.
- V. Ordinances – Final Reading:
- VI. Ordinances – First Reading:
  - a) An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, by amending Section 38-502 and adding new Sections 38-13, 38-528, and 38-529 to identify certain areas of scenic value and establish a special exceptions permit relative to the regulation of structure heights in such areas. **(Deferred from 1/18/11 and 10/4/11.)**
  - b) An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, Section 38-208(5) of the UGC Urban General Commercial Zone referencing unit density per acre.
  - c) An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, Section 38-2 Definitions; Article V, Section 38-301 M-1 Manufacturing Zone; Section 38-321 Light Industrial Zone; Section 38-528 M-2 Light Industrial Zone; and Article VI, Division 2 other Special Exceptions to establish a Special Exceptions Permit for ethanol transfer facility. **(See alternate version.)**
  - d) 2010-081 MAP Engineers, LLC/Arthur Yother/Charles Clark (R-2 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 1106 and 1112 O’Henry Drive, more particularly described herein, from R-2 Residential Zone to C-2 Convenience Commercial Zone, subject to certain conditions. **(Planning Version, District No. 3.)**  
  
2010-081 MAP Engineers, LLC/Arthur Yother/Charles Clark (R-2 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 1106 and 1112 O’Henry Drive, more particularly described herein, from R-2 Residential Zone to C-2 Convenience Commercial Zone. **(Applicant Version.)**
  - e) 2011-102 Randy Chapman (R-1 Residential Zone to R-2 Residential Zone). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone property located at 224 South Moss Avenue, more

particularly described herein, from R-1 Residential Zone to R-2 Residential Zone. **(Applicant Version, District No. 1.) (Planning recommends denial.)**

- f) 2011-104 The Palms on Concord, LLC (R-2 Residential Zone to R-3 Residential Zone). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone property located at 1515 North Concord road, more particularly described herein, from R-2 Residential Zone to R-2 Residential Zone, subject to certain conditions. **(Planning Version, District No. 4.) (Staff recommends denial.)**

VII. Resolutions:

- a) 2011-106 MAP Engineers/Michael A. Price (Special Exceptions Permit). A resolution approving a Special Exceptions Permit to abandon a Planned Unit Development on property located at 1515 North Concord Road. **(District No. 4.) (Planning recommends approval and Staff recommends denial.) (Moved up - Companion to VI(f) above.)**
- b) A resolution authorizing the Administrator of the Department of Public Works to apply for and, if approved, accept a grant from the Lyndhurst Foundation in the amount of \$430,000.00, and to execute a Partnership Agreement for the development of the Main Terraine Park, Project No. R-11-001-801, to be located between Main Street and 13<sup>th</sup> Street. **(District No. 8.)**
- c) A resolution authorizing the waiver of landfill disposal fees associated with the Annual Tennessee River Rescue cleanup in an amount not to exceed \$1,500.00.
- d) A resolution authorizing the execution of Change Order No. 1 **to the agreement with Jones and Jones Architects for additional services to evaluate the Ross's Landing area**, for an increased amount of \$19,800.00, for a revised contract amount not to exceed \$188,300.00. **(Revised.)**
- e) 2007-166 R and S Development (Special Exceptions Permit – Extend PUD). A resolution to extend the Special Exceptions Permit for a Planned Unit Development (formerly known as The Covenant) now referred to as Perry North Planned Unit Development, and referenced in City Council Resolution No. 26069, on tracts of land located in the 1000 block of Dallas Road. **(District No. 1.)**
- f) 2011-105 MAP Engineers/Michael A. Price (Special Exceptions Permit – Prelim. PUD). A resolution authorizing a Preliminary Planned Unit Development, known as Creek Plantation Condominiums, on tracts of land located at 110 through 286 Templeton Lane, 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. **(District No. 3.)**
- g) **A resolution authorizing the Office of the City Attorney to file a lawsuit against Jason Headrick and all individuals responsible regarding a continuing nuisance at the property located at 1004 Brynewood Park Drive,**

**Tax Map No. 109K-B-032. (District No. 2.) (Added by permission of Council Vice 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, October 18, 2011.

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

XIV. Adjournment.

**AGENDA FOR TUESDAY, OCTOBER 18, 2011**

1. Call to Order.
2. Pledge of Allegiance/Invocation (Councilman Murphy)
3. Minute Approval.
4. Special Presentations.
5. Ordinances - Final Reading:
  - a) An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, by amending Section 38-502 and adding new Sections 38-13, 38-528, and 38-529 to identify certain areas of scenic value and establish a special exceptions permit relative to the regulation of structure heights in such areas. **(Deferred from 1/18/11 and 10/4/11.)**
  - b) An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, Section 38-208(5) of the UGC Urban General Commercial Zone referencing unit density per acre.
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- f) 2011-104 The Palms on Concord, LLC (R-2 Residential Zone to R-3 Residential Zone). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone property located at 1515 North Concord road, more particularly described herein, from R-2 Residential Zone to R-2 Residential Zone, subject to certain conditions. **(Planning Version, District No. 4.) (Staff recommends denial.)**

2011-104 The Palms on Concord, LLC (R-2 Residential Zone to R-3 Residential Zone). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone property located at 1515 North Concord road, more particularly described herein, from R-2 Residential Zone to R-2 Residential Zone. **(Applicant Version.)**

6. Ordinances – First Reading:

- a) 2011-043 Englewood Enterprises, LLC/Leroy Hurst & Bickerstaff PL/JDK Real Estate, LLC (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 property located at 6162 Enterprise Park Drive, more particularly described herein, from M-2 Light Industrial Zone to M-1 Manufacturing Zone. **(District No. 6.) (Recommended for denial by Planning.) (Deferred from 8/16/11.)**

7. Resolutions:

- a) A resolution authorizing Dan L. Thornton, Acting Director of the General Services Division, to sign vouchers, requisitions, and other necessary documents for and on behalf of the Mayor's Office, relative to renovation capital funds, purchasing, real estate, and building and fleet maintenance effective as of October 5, 2011.
- b) A resolution authorizing the appointment of Tiffany Newcomb as special police officer (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.
- c) A resolution authorizing the execution of Interlocal Agreements with the City of East Ridge and the City of Red Bank for the City of Chattanooga to provide traffic signal equipment maintenance services and traffic signal timing management services.
- d) A resolution authorizing the Acting Director of General Services to enter into an agreement with Franklin Associates Architects, Inc., to design, prepare for bid, and oversee Phase 1 of the renovation of the Soldiers & Sailors Memorial Auditorium Community Theatre for a stipulated sum not to exceed \$80,000.00, plus reimbursable expenses not to exceed \$10,000.00. **(District No. 8.)**

**Amended Agenda for Tuesday, October 11, 2011**

**Page 6 of 6**

- e) A resolution authorizing the appointment of D. Stacy Morrison 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.
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, October 25, 2011.
13. Recognition of Persons Wishing to Address the Council on Non-Agenda Matters.
14. Adjournment.