

## AGENDA FOR TUESDAY, APRIL 13, 2004

- I. Call to Order.
- II. Pledge of Allegiance/Invocation (Councilman Taylor)
- III. Minute Approval.
- IV. Special Presentations.
- V. Ordinances – Second & Third Reading:
  - a) MR-2004-039 Bright Beginnings (Close & Abandon). An ordinance closing and abandoning of sanitary sewer lines and easement on tracts of land located at 5010 Alpha Lane and 2150 North Point Boulevard, more particularly described herein and as shown on the map attached hereto and made a part hereof by reference.
- VI. Ordinances - First Reading:
  - a) 2004-006 W.J. Stewart (From R-1 to C-2). Rezone a tract of land located at 3515 W Road, more particularly described herein. **(Not recommended for approval - see alternate Planning and Staff versions)**

2004-006 W.J. Stewart (From R-1 to R-4). Rezone a tract of land located at 3515 W Road, more particularly described herein, subject to certain conditions. **(Recommended for approval by Planning - see alternate Staff version)**

2004-006 W.J. Stewart (From R-1 to R-4). Rezone a tract of land located at 3515 W Road, more particularly described herein, subject to certain conditions. **(Not recommended for approval by Planning)**
  - b) MR-2004-006 City of Chattanooga (Close & Abandon). An ordinance closing and abandoning a portion of the opened unit block of Wall Street, more particularly described herein and as shown on the map attached hereto and made a part hereof by reference, subject to certain conditions.
  - c) 2004-026 George B. Harless, Jr. (Amend Conditions). An ordinance to amend Ordinance No. 6958, as amended, known as the Zoning Ordinance, so as to amend certain conditions imposed in Ordinance No. 11224 on property located in the 1900 block of Kelly Street and the 2200 block of East 21<sup>st</sup> Street, being more particularly described herein, subject to certain conditions. **(Recommended for approval by Planning)**
  - d) 2004-037 Susan Ballard Beaty (From R-1 to C-2). Rezone a tract of land located at 1145 Shady Rest Road, more particularly described herein. **(Recommended for denial by Planning)**
  - e) 2004-038 Harold Stewart (From R-1 to R-2). Rezone a tract of land located at 7312 Noah Reid Road, more particularly described herein. **(Recommended for denial by Planning)**

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#### VI. Ordinances - First Reading (continued):

- f) 2004-045 Matthew T. Hamilton (From R-1 and R-2 to C-2). Rezone a tract of land located at 6522 Middle Valley Road, more particularly described herein. **(Recommended for denial by Planning)**
- g) 2004-046 Ken DeFoor (From R-1 to R-T/Z). Rezone tracts of land located at 7503 and 7507 Shallowford Road, more particularly described herein. **(Not recommended for approval by Planning - see alternate Planning and Staff versions)**
- 2004-046 Ken DeFoor (From R-1 to R-T/Z). Rezone tracts of land located at 7503 and 7507 Shallowford Road, more particularly described herein, subject to certain conditions. **(Recommended for approval by Planning - see alternate Staff version)**
- 2004-046 Ken DeFoor (From R-1 to R-T/Z). Rezone tracts of land located at 7503 and 7507 Shallowford Road, more particularly described herein, subject to certain conditions. **(Not recommended for approval by Planning)**
- h) 2004-052 Joseph Ryan Cooke (From M-2 and R-2 to C-2). Rezone tracts of land located at 1401 Dodson Avenue and 2108 Newton Street, more particularly described herein. **(Not recommended for approval by Planning - see alternate version)**
- 2004-052 Joseph Ryan Cooke (From M-2 to C-2). Rezone tracts of land located at 1401 Dodson Avenue and 2108 Newton Street, more particularly described herein, subject to certain conditions. **(Recommended for approval by Planning)**
- i) 2004-056 Tony Cobble (From R-4 to C-2). Rezone a tract of land located at 1906 Gunbarrel Road, more particularly described herein. **(Recommended for approval by Planning)**

#### VII. Resolutions:

- a) 2004-023 Regency Development, Inc. (Preliminary PUD). A resolution approving a Preliminary Planned Unit Development Special Exceptions Permit for a proposed Planned Unit Development known as Irish Knoll Planned Unit Development, on a tract of land located in the 6600 block of Sandwitch Road, more particularly described herein and as shown on the map attached hereto and made a part hereof by reference, subject to certain conditions.
- b) A resolution authorizing the Office of the City Attorney to institute eminent domain proceedings against Gene E. Nixon for a stormwater easement located at 1703 Long Street, Tract No. 8, more particularly described herein, relative to the Southside Graywater Collection-17<sup>th</sup> Street Trunk Project.
- c) A resolution authorizing the Office of the City Attorney to institute eminent domain proceedings against Amanda Walker for a stormwater easement located at 18<sup>th</sup> Street, Tract No. 16, more particularly described herein, relative to the Southside Graywater Collection-17<sup>th</sup> Street Trunk Project.

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### VII. Resolutions (continued):

- d) A resolution authorizing the Office of the City Attorney to institute eminent domain proceedings against Shelley J. Moore for a stormwater easement located at 18<sup>th</sup> Street, Tract No. 18, more particularly described herein, relative to the Southside Graywater Collection-17<sup>th</sup> Street Trunk Project.
- e) A resolution authorizing J. Robert McKenzie to use temporarily the City's right-of-way located at 230 Frazier Avenue to install balconies, more particularly described herein and as shown on the map attached hereto and made a part hereof by reference, subject to certain conditions.
- f) A resolution authorizing the Director of the Office of Performance Review to apply for a grant from the Tennessee Office of Criminal Justice Programs, Edward Byrne Memorial Grant Program, in a total amount not to exceed \$200,000.00, for the purposes specified herein, which, if awarded, will require local matching funds of 1/3 of the grant funds awarded. **(Added by permission of Chairman Franklin)**

### VIII. Overtime Report.

### IX. Departmental Reports:

- a) Department of Human Services.
- b) Department of Parks, Recreation, Arts & Culture.
- c) Department of Public Works.
- d) Fire Department.
- e) Police Department.
- f) Department of Finance and Administration.
- g) Department of Personnel.
- h) Department of Neighborhood Services.
- i) City Finance Officer.
- j) City Attorney.

### X. Other Business.

### XI. Committee Reports.

### XII. Agenda Session for Tuesday, April 20, 2004.

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

### XIV. Adjournment.

**XII. Agenda Session for Tuesday, April 20, 2004:**

**AGENDA FOR TUESDAY, APRIL 20, 2004**

1. Call to Order.
2. Pledge of Allegiance/Invocation (Councilman Hakeem).
3. Minute Approval.
4. Election of Council Officers.
5. Special Presentations.

**Visitors from Sister City Wuxi, China**  
**Bob Edwards, Vice President - Sister City Association**  
**Zhao Ming - Wuxi Spokesperson**

6. Ordinances – Second & Third Reading:
  - a) An ordinance to amend Part II, Chattanooga City Code, Chapter 3, Article I, Sections 3-2, 3-7, 3-8, 3-18 and 3-20, Article II, Section 3-21, Article III, Section 3-33, Article IV, Section 3-42 and Article V, Sections 3-52 and 3-55, relative to signs. **(Deferred from 04-06-04)**
  - b) 2004-006 W.J. Stewart (From R-1 to C-2). Rezone a tract of land located at 3515 W Road, more particularly described herein. **(Not recommended for approval - see alternate Planning and Staff versions)**  
  
2004-006 W.J. Stewart (From R-1 to R-4). Rezone a tract of land located at 3515 W Road, more particularly described herein, subject to certain conditions. **(Recommended for approval by Planning - see alternate Staff version)**  
  
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  - c) MR-2004-006 City of Chattanooga (Close & Abandon). An ordinance closing and abandoning a portion of the opened unit block of Wall Street, more particularly described herein and as shown on the map attached hereto and made a part hereof by reference, subject to certain conditions.
  - d) 2004-026 George B. Harless, Jr. (Amend Conditions). An ordinance to amend Ordinance No. 6958, as amended, known as the Zoning Ordinance, so as to amend certain conditions imposed in Ordinance No. 11224 on property located in the 1900 block of Kelly Street and the 2200 block of East 21<sup>st</sup> Street, being more particularly described herein, subject to certain conditions. **(Recommended for approval by Planning)**

**XII. Agenda Session for Tuesday, April 20, 2004 (continued):**

6. Ordinances - Second and Third Reading (continued):

- e) 2004-037 Susan Ballard Beaty (From R-1 to C-2). Rezone a tract of land located at 1145 Shady Rest Road, more particularly described herein. **(Recommended for denial by Planning)**
- f) 2004-038 Harold Stewart (From R-1 to R-2). Rezone a tract of land located at 7312 Noah Reid Road, more particularly described herein. **(Recommended for denial by Planning)**
- g) 2004-045 Matthew T. Hamilton (From R-1 and R-2 to C-2). Rezone a tract of land located at 6522 Middle Valley Road, more particularly described herein. **(Recommended for denial by Planning)**
- h) 2004-046 Ken DeFoor (From R-1 to R-T/Z). Rezone tracts of land located at 7503 and 7507 Shallowford Road, more particularly described herein. **(Not recommended for approval by Planning - see alternate Planning and Staff versions)**  
  
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- j) 2004-056 Tony Cobble (From R-4 to C-2). Rezone a tract of land located at 1906 Gunbarrel Road, more particularly described herein. **(Recommended for approval by Planning)**

7. Ordinances - First Reading:

8. Resolutions:

- a) A resolution authorizing the City Finance Officer to execute any and all documents necessary to facilitate the donation of certain real property located at 3515 Ohls Avenue, 0 Chandler Avenue and 0 W. 38<sup>th</sup> Street, more particularly described herein, as part of the Chattanooga Housing Authority's Hope VI Project in Alton Park.

**XII. Agenda Session for Tuesday, April 20, 2004 (continued):**

8. Resolutions (continued):

- b) A resolution to make certain findings relating to the Burner Systems International, Inc. Project, to delegate certain authority to the Industrial Development Board of the City of Chattanooga, and to authorize the Mayor to enter into and execute an agreement for payments in lieu of ad valorem taxes. **(Added by permission of the Legal and Legislative Committee)**
- c) A resolution to make certain findings relating to the Custom Baking Company Project, to delegate certain authority to the Industrial Development Board of the City of Chattanooga, and to authorize the Mayor to enter into and execute an agreement for payments in lieu of ad valorem taxes. **(Added by permission of the Legal and Legislative Committee)**

9. Overtime Report.

10. Departmental Reports:

- a) Department of Human Services.
- b) Department of Parks, Recreation, Arts & Culture.
- c) Department of Public Works.
- d) Fire Department.
- e) Police Department.
- f) Department of Finance and Administration.
- g) Department of Personnel.
- h) Department of Neighborhood Services.
- i) City Finance Officer.
- j) City Attorney.

11. Other Business.

12. Committee Reports.

13. Agenda Session for Tuesday, April 27, 2004.

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

15. Adjournment.