

AMENDED AGENDA FOR TUESDAY, APRIL 8, 2008

- I. Call to Order.
- II. Pledge of Allegiance/Invocation (Councilman Franklin)
- III. Minute Approval.
- IV. Special Presentations.

**Special Presentation to Mrs. Mabel Scruggs
99th Birthday Acknowledgement**

V. Ordinances – Final Reading:

- a) An ordinance appropriating \$1,500.00 from the General Fund to “A Night to Remember,” a non-profit organization, as a sponsorship for its 21st Anniversary.

VI. Ordinances – First Reading:

- a) 2008-002 City of Chattanooga, c/o Bill Payne, 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 Prayer 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.)**

- b) 2008-033 David L. Gardner (from R-2 & 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 in the 4400 and 4500 blocks of Jersey Pike, more particularly described herein and as shown on the map attached hereto and made a part hereof by reference, from R-2 Residential Zone and R-1 Residential Zone to M-2 Light Industrial Zone. **(Not recommended for approval by Planning or Staff - see alternate versions.)**

2008-033 David L. Gardner (from R-2 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 in the 4400 block of Jersey Pike, more particularly described herein and as shown on the map attached hereto and made a part hereof by reference, from R-2 Residential Zone to M-2 Light Industrial Zone, subject to certain conditions. **(Recommended for approval by Planning.)**

2008-033 David L. Gardner (from R-2 to O-1). An ordinance to amend Ordinance No. 6958, as amended, known as the Zoning Ordinance, so as to rezone a tract of land located in the 4400 block of Jersey Pike, more particularly described herein and as shown on the map attached hereto and made a part hereof by reference, from R-2 Residential Zone to O-1 Office Zone, subject to certain conditions. **(Recommended for approval by Staff.)**

- c) 2008-035 City of Chattanooga, c/o City Engineer (Street name Change.) An ordinance to change the right-of-way name of the 100 block of South Crest Road to the 3100 and 3200 blocks of Bragg Reservation, more particularly described herein and as shown on the map attached hereto and made a part hereof by reference.

(Deferred from 3/11/08. Recommended for denial by Planning. Recommended for approval by Staff.)

- d) 2008-045 City of Chattanooga, c/o Bill Payne, City Engineer (Street Name Change). An ordinance to change the right-of-way name of an unnamed alley located on the east line of Adams Street to Quincy Alley and an unnamed alley located on the west line of Jefferson Street to Zachary Alley, 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) 2008-051 Robert Walters (from O-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 7333 Shallowford Road, more particularly described herein and shown on the map attached hereto and made a part hereof by reference, from O-1 Office Zone to C-2 Convenience Commercial Zone. **(Recommended for denial by Planning.)**
- f) 2008-062 Delta Brogdon (from R-1 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 at 6024 Talladega Avenue and 5945 Shaw Avenue, more particularly described herein and as shown on the map attached hereto and made a part hereof by reference, from R-1 Residential Zone to C-2 Convenience Commercial Zone. **(Not recommended for approval by Planning or Staff - see alternate versions.)**

2008-062 Delta Brogdon (from R-1 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 at 6024 Talladega Avenue and 5945 Shaw Avenue, more particularly described herein and as shown on the map attached hereto and made a part hereof by reference, from R-1 Residential Zone to C-2 Convenience Commercial Zone, subject to certain conditions. **(Recommended for approval by Planning.)**

2008-062 Delta Brogdon (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 5945 Shaw Avenue**, more particularly described herein and as shown on the map attached hereto and made a part hereof by reference, from R-1 Residential Zone to C-2 Convenience Commercial Zone, subject to certain conditions. **(Recommended for approval by Staff.)**

- g) 2008-064 Ilya Kyskin (Sixth Project, 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. 11925 (Case No. MR-2006-233) on tracts of land located at 7610 and 7614 Standifer Gap Road, more particularly described herein and as shown on the map attached hereto and made a part hereof by reference. **(Recommended for approval by Planning. Recommended for denial by Staff.)**
- h) 2008-065 Ilya Kyskin (Sixth Project, LLC) (from R-1 to R-3 & R-4). An ordinance to amend Ordinance No. 6958, as amended, known as the Zoning Ordinance, so as to rezone tracts of land located in the 7600 block of Standifer Gap Road, more particularly described herein and as shown on the map attached hereto and made a part hereof by reference, from R-1 Residential Zone to R-3 Residential Zone and R-4 Special Zone. **(Not recommended for approval by Planning or Staff - see alternate versions.)**

2008-065 Ilya Kyskin (Sixth Project, LLC) (from R-1 to R-3 & O-1). An ordinance to amend Ordinance No. 6958, as amended, known as the Zoning Ordinance, so as to rezone tracts of land located in the 7600 block of Standifer Gap Road, more particularly described herein and as shown on the map attached hereto and made a part hereof by reference, from R-1 Residential Zone to R-3 Residential Zone and O-1 Office 1 Zone, subject to certain conditions. **(Recommended for approval by Planning.)**

2008-065 Ilya Kyskin (Sixth Project, LLC) (from R-1 to R-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 7600 block of Standifer Gap Road, more particularly described herein and as shown on the map attached hereto and made a part hereof by reference, from R-1 Residential Zone to R-3 Residential Zone, subject to certain conditions. **(Recommended for approval by Staff.)**

- i) 2008-066 Keither Perry (from R-3 to C-3). An ordinance to amend Ordinance No. 6958, as amended, known as the Zoning Ordinance, so as to rezone a tract of land located at 1700 Jefferson Street, more particularly described herein and as shown on the map attached hereto and made a part hereof by reference, from R-3 Residential Zone to C-3 Central Business Zone. **(Not recommended for approval by Planning - see alternate version.)**

2008-066 Keither Perry (from R-3 to C-3). An ordinance to amend Ordinance No. 6958, as amended, known as the Zoning Ordinance, so as to rezone a tract of land located at 1700 Jefferson Street, more particularly described herein and as shown on the map attached hereto and made a part hereof by reference, from R-3 Residential Zone to C-3 Central Business Zone, subject to certain conditions. **(Recommended for approval by Planning.)**

VII. Resolutions:

- a) A resolution to amend Resolution No. 26413, encaptioned, "A resolution authorizing the Director of General Services to execute a Quitclaim Deed to re-convey property on Rossville Avenue, Tax Map No. 145H-018, to Joe Sliger," by including Tax Map Nos. 145M-H-008 through 145M-H-012 and authorizing the Director of General Services to execute any other necessary documents to accomplish said re-conveyance without reversionary language.
- b) A resolution authorizing payment to the United States Conference of Mayors for 2008 dues in the amount of \$12,242.00.
- c) A resolution authorizing the execution of Change Order No. 1 (Final) relative to Contract No. S-06-017-201, Private Sanitary Sewer Service Lateral Repair (SEP), with Roto Rooter Plumbing Company, which change order releases the contract contingency in the amount of \$2,510.00, for a revised contract amount not to exceed \$24,490.00.
- d) A resolution authorizing the execution of Change Order No. 1 (Final) relative to Contract No. S-07-008-201, Private Sanitary Sewer Service Lateral Repair (SLAP), with Street Cuts, LLC, which change order releases the contract contingency in the amount of \$3,000.00, for a revised contract amount not to exceed \$12,250.00.

- e) A resolution authorizing the execution of Change Order No. 1 (Final) relative to Contract No. S-07-002-201, Private Sanitary Sewer Service Lateral Repair (SEP), with Roto Rooter Plumbing Company, which change order increases the contract amount by \$1,450.00, for a revised contract amount not to exceed \$17,950.00.
- f) A resolution authorizing Mike Moon to use temporarily a portion of property located at 245 Walnut Street to erect a temporary construction office for an on-site project, as shown on the map and drawing attached hereto and made a part hereof by reference, subject to certain conditions. **(Recommended for approval by Planning.)**
- g) A resolution authorizing Brian Murphy to use temporarily the City's right-of-way at 409 Market Street to install a sign that will project into the City's right-of-way, as shown on the drawings attached hereto and made a part hereof by reference, subject to certain conditions. **(Recommended for approval by Planning.)**
- h) A resolution authorizing the City Finance Officer to renew the existing contract with Hazlett, Lewis & Beiter, certified public accountants, to audit the books, records, and accounts of all funds of the City of Chattanooga for an additional two (2) years with an amended escalator of 4% for Fiscal Years 2008, 2009, and 2010, with the Federal and State Programs and Jointly Funded Agencies paying a pro-rata share of the cost. **(Added by permission of Council Chair Page.)**
- i) 2008-050 Signature Investments, LLC (Prelim & Final PUD). A resolution approving a proposed Preliminary and Final Planned Unit Development Special Exceptions Permit for a Planned Unit Development, known as Artisan Planned Unit Development, on tracts of land located at 8310, 8312, and 8316 Iris Road, 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) 2008-056 Andrew Lancaster (Special Exceptions Permit - Duplex). A resolution approving a Special Exceptions Permit for a duplex in R-1 Residential Zone on a tract of land located at 1413 North Orchard Knob Avenue, more particularly described herein and as shown on the map attached hereto and made a part hereof by reference. **(Recommended for denial by Planning.)**
- k) 2008-057 Andrew Lancaster (Special Exceptions Permit - Duplex). A resolution approving a Special Exceptions Permit for a duplex in R-1 Residential Zone on a tract of land located at 1101 Wheeler Avenue, more particularly described herein and as shown on the map attached hereto and made a part hereof by reference. **(Recommended for denial by Planning.)**
- l) 2008-058 Andrew Lancaster (Special Exceptions Permit - Duplex). A resolution approving a Special Exceptions Permit for a duplex in R-1 Residential Zone on a tract of land located at 901 Wheeler Avenue, more particularly described herein and as shown on the map attached hereto and made a part hereof by reference. **(Recommended for denial by Planning.)**
- m) 2008-059 Andrew Lancaster (Special Exceptions Permit - Duplex). A resolution approving a Special Exceptions Permit for a duplex in R-1 Residential Zone on a tract of land located at 1103 Wheeler Avenue, more particularly described herein and

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as shown on the map attached hereto and made a part hereof by reference.
(Recommended for denial by Planning.)

- n) 2008-060 Andrew Lancaster (Special Exceptions Permit - Duplex). A resolution approving a Special Exceptions Permit for a duplex in R-1 Residential Zone on a tract of land located at 1409 North Orchard Knob Avenue, more particularly described herein and as shown on the map attached hereto and made a part hereof by reference. **(Recommended for denial by Planning.)**
- o) 2008-061 Andrew Lancaster (Special Exceptions Permit - Duplex). A resolution approving a Special Exceptions Permit for a duplex in R-1 Residential Zone on a tract of land located at 1411 North Orchard Knob Avenue, more particularly described herein and as shown on the map attached hereto and made a part hereof by reference. **(Recommended for denial by Planning.)**
- p) A resolution to Amend Resolution No. 25232 for Stein Construction Company, Inc. relative to Contract No. E-06-006-201, Northpoint Boulevard Extension-Phase 1, which increase the amount of the contract by \$150,000.00 for a total amount not to exceed \$1,375,320.00. **(Recommended for approval by Councilman Page.)**

VIII. Overtime Report.

VIX. 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, April 15, 2008.

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

XIV. Adjournment.

XV. Agenda Session for Tuesday, April 15, 2008:

AGENDA FOR TUESDAY, APRIL 15, 2008

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

Chattanooga Choral Society, Hosts of the Fisk Jubilee Singers

6. Ordinances - Final Reading:
 - a) 2008-002 City of Chattanooga, c/o Bill Payne, 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 Prayer 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.)**
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7. Ordinances – First Reading:

- a) An ordinance to amend Chattanooga City Code, Part II, Chapter 24, Section 24-504, Schedule IV, One-Way Streets.

8. Resolutions:

- a) A resolution authorizing payment in the amount of \$16,000.00 to Louise Peterson to purchase her sculpture which is to be placed in the First Street Step Sculpture Garden as part of the Chattanooga Public Art Plan.
- b) A resolution to make certain findings relating to the Designed Alloy Products, 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 Payment in Lieu of Ad Valorem Taxes.
- c) A resolution authorizing the Administrator of the Department of Public Works to execute an agreement with Raines Brothers Construction, Inc. relative to Contract No. E-08-001-201, Mountain Creek Pump Station Modifications, in the amount of \$71,815.00, plus a contingency amount of \$7,185.00, for a total amount not to exceed \$79,000.00.

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- d) A resolution authorizing the Administrator of the Department of Public Works to execute an agreement with Engineering & Research International, Inc., relative to Contract No. E-07-016-101, Ground Penetrating Radar and Falling Weight Deflectometer Pavement Testing, in an amount not to exceed \$491,500.00.
 - e) A resolution authorizing United Enertech c/o RLT Properties to use temporarily a portion of the right-of-way running north and south along the 2900 block of South Hickory Street, as shown on the map attached hereto and made a part hereof by reference, to allow the property owner maneuvering space for 18-wheel transports to dock and park next to the warehouse, subject to certain conditions.
 - f) A resolution authorizing the appointment of Leightaylor Noorbergen as special policeman (armed) for Erlanger Health Systems, to do special duty as prescribed herein, subject to certain conditions. (Deferred from April 8, 2008).
9. Overtime Report.
 10. 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.
 11. Other Business.
 12. Committee Reports.
 13. Agenda Session for Tuesday, April 22, 2008.
 14. Recognition of Persons Wishing to Address the Council on Non-Agenda Matters.
 15. Adjournment.