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TUESDAY, DECEMBER 17, 2024
CITY COUNCIL REVISED AGENDA
3:30 PM

- I. Call to Order by Chairman Henderson.
- II. Pledge of Allegiance/Invocation (Councilwoman Noel).
- III. Special Presentations.
- IV. Minute Approval.
- V. Discussion of Agenda.
 - Next Week's Proposed Agenda Items
 - Purchasing Questions
 - Future Considerations (3 Week Look Ahead)
- VI. Committee or Department Reports:
 - None

RECESS

Order of Business for City Council

**PUBLIC HEARING - FBC-24-4: Gus's Fried Chicken,
1846 Market Street (MAP#23-106)**

VII. **Ordinances – Final Reading:**

PLANNING

- a. [An ordinance to approve the adoption of the new official zoning map utilizing the Zoning Districts as adopted by the new City of Chattanooga Zoning Ordinance \(City Code Chapter 38\), Ordinance No. 14137 and the repeal of the current City of Chattanooga Zoning Map. \(Alternate Version #2\)](#)
- b. [2024-0182 Austin Renegar \(Amend Condition\). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to amend Condition #1 from Ordinance No. 13337 of previous Case No. 2018-106, for the property located at 109 Guild Street. \(District 1\) \(Recommended for approval by Planning Commission and Staff\) \(Planning Version #2\)](#)

- c. 2024-0162 Stone Creek Consulting, LLC (R-2 Residential Zone and C-2 Convenience Commercial Zone to RN-3 Residential Neighborhood Zone). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone property located at 5919 Hixson Pike, from R-2 Residential Zone and C-2 Convenience Commercial Zone to RN-3 Residential Neighborhood Zone, subject to certain conditions. (District 3) (Recommended for approval by Planning Commission) (Planning Version #2)
- d. 2024-0163 Honey and Vinegar, LLC (R-3 Residential Zone to C-C Commercial Corridor Zone). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone property located at 3580 Jenkins Road, from R-3 Residential Zone to C-C Commercial Corridor Zone. (District 4) (Recommended for approval by Planning Commission and Staff)
- e. 2024-0184 Stone Creek Consulting, LLC c/o Allen Jones (R-1 Residential Zone to RN-1-5 Residential Neighborhood Zone). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone property located at 8113 Graham Road, from R-1 Residential Zone to RN-1-5 Residential Neighborhood Zone, subject to certain conditions. (District 4) (Recommended for approval by Planning Commission)
- f. 2024-0185 Cornerstone Apostolic Church c/o Raymond Sloan (R-1 Residential Zone to RN-1-5 Residential Neighborhood Zone). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone property located at 1729 Gray Road, from R-1 Residential Zone to RN-1-5 Residential Neighborhood Zone, subject to certain conditions. (District 4) (Recommended for approval by Planning Commission)
- g. 2024-0155 1265 E. 13th LLC (M-1 Manufacturing Zone to TRN-3 Traditional Residential Neighborhood Zone). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone part of 1265 East 13th Street, from M-1 Manufacturing Zone to TRN-3 Traditional Residential Neighborhood Zone. (District 8) (Recommended for approval by Planning Commission and Staff)
- h. 2024-0161 Wise Properties, LLC (R-2 Residential Zone to C-C Commercial Corridor Zone). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone unaddressed property located in the 2300 block of Dodds Avenue, from R-2 Residential Zone to C-C Commercial Corridor Zone. (District 9) (Recommended for approval by Planning Commission and Staff)

- i. [2024-0191 Miken Development c/o Michael Kenner \(R-2 Residential Zone to C-TMU Transitional Mixed-Use Commercial Zone\). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone property located at 2315, 2317, and 2401 Glass Street, from R-2 Residential Zone to C-TMU Transitional Mixed-Use Commercial Zone. \(District 9\) \(Recommended for approval by Planning Commission and Staff\)](#)
- j. [2024-0181 Stone Creek Consulting, LLC c/o Allen Jones \(C-2 Convenience Commercial Zone and R-2 Residential Zone to C-TMU Transitional Mixed-Use Commercial Zone\). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone property located at 803 Dodds Avenue, from C-2 Convenience Commercial Zone and R-2 Residential Zone to C-TMU Transitional Mixed-Use Commercial Zone. \(District 9\) \(Recommended for approval by Planning Commission and Staff\)](#)
- k. [An ordinance to amend Chattanooga City Code, Part II, Chapter 38, the Chattanooga Zoning Ordinance as adopted by Ordinance No. 14137 on July 23, 2024.](#)

PARKS, PUBLIC WORKS AND WASTEWATER

Wastewater

1. [MR 2024-0157 ASA Engineering & Consulting Inc. c/o Rachel Tranel \(Abandonment\). An ordinance closing and abandoning a sanitary sewer and easement in the 2100 block of Rossville Avenue, beginning at MH #S155D067 thence 98 feet to MH #S155D062, for a total of 98 linear feet. Tax Map Number 155D-B-001, as shown on the attached map, subject to certain conditions. \(District 7\) \(Recommended for approval by Wastewater\)](#)

VIII. Ordinances – First Reading:

COUNCIL OFFICE

- a. [An ordinance amending Chattanooga City Code, Part II, Chapter 25, Section 25-40, Threat or Mass Violence on City owned property or at City property related activities.](#)

PLANNING

- b. [2024-0165 Scenic City Home Builders, LLC \(R-1 Residential Zone to RN-1-3 Residential Zone\). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone property located at 4821 Webb Road, from R-1 Residential Zone to RN-1-3 Residential Zone, subject to certain conditions. \(District 3\) \(Recommended for approval by Planning Commission and denial by Staff\) \(Deferred from 12-10-2024\)](#)

- 2024-0165 Scenic City Home Builders, LLC (R-1 Residential Zone to RN-1-3 Residential Zone). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone property located at 4821 Webb Road, from R-1 Residential Zone to RN-1-3 Residential Zone. (Applicant Version)
- c. 2024-0183 Chattanooga Engineering Group c/o Rocky Chambers (U-RD-2 Urban Residential Detached Zone to U-RA-3 Urban Residential Attached Zone). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone property located at 1733 Mitchell Avenue, from U-RD-2 Urban Residential Detached Zone to U-RA-3 Urban Residential Attached Zone. (District 7) (Recommended for approval by Planning Commission and denial by Staff) (Deferred from 12-10-2024)

IX. **Resolutions:**

COUNCIL OFFICE

- a. A resolution to confirm the appointment of Nathaniel Doss, III to the Passenger Vehicle for Hire Board representing Districts 7, 8, and 9, with a term beginning on December 18, 2024, and ending on December 17, 2027. (Districts 7, 8 & 9)
- b. A resolution authorizing the Administrator for the Department of Early Learning to accept an award of \$10,000.00 from the American Rescue Plan Act Coronavirus State and Local Fiscal Recovery Funds to establish a series of youth job readiness and skill-building retreats in partnership with Team Mentoring, Inc. (District 8)

ECONOMIC DEVELOPMENT

- c. A resolution authorizing the Mayor or his designee to enter into a Premises Use Agreement with Tennessee River Soccer d/b/a/ North River Soccer Association, in substantially the form attached, for use of the soccer facility on a portion of Tax Map No. 119H-A-003.01, for a term of one (1) year with annual rent of one dollar (\$1.00). (District 2)
- d. A resolution confirming the surplus of a 4,100 square foot portion of Tax Map No. 135E-K-009 on Frazier Avenue, and to authorize the Mayor or his designee to enter into a Property Exchange Agreement with Frank C. Kimsey, in substantially the form attached, for the exchange of the 4,100 square foot portion of City Parcel 135E-K-009 for a 4,100 square foot portion of Kimsey Parcel 135E-K-008, with the additional consideration for the Certificate of Occupancy for the new Kimsey residence to be subject to the construction of a footpath from Dalton Street to Frazier Avenue, and with reversionary rights requiring the completion of all construction by July 1, 2028, and to authorize the execution of the closing documents with all closing fees to be paid by Frank C. Kimsey. (District 2)

- e. A resolution authorizing the Mayor or his designee to enter into a First Amendment to Riverwalk Easement Agreement with NRCC, LLC, in substantially the form attached, for the modification of the commencement period of the substantial and material construction on the Riverwalk in the permanent easement area to a period of five (5) years. (Added with permission of Chairman Henderson)
- f. A resolution authorizing the Mayor or his designee to enter into an Amended and Restated Stadium Complex Lease ("Lease") with the Stadium Corporation and Hamilton County, in substantially the form attached, for the management of the stadium parcels identified in Exhibit E of the lease, with the continued term of October 1, 2017, through September 30, 2037, with the option to renew for one additional term of twenty (20) years with annual rent of ten dollars (\$10.00). (District 7)
- g. A resolution authorizing the Administrator for the Department of Economic Development to enter into an agreement, in substantially the form attached, with Chattanooga State Community College to establish an Apprenticeship Readiness Program that will assist participants in creating personal resiliency plans to address current and future employment barriers and adequately prepare participants to gain entrance into a Registered Apprentice Program in the building trades industry, in the amount of \$150,000.00 per year, for a four year period, for a total amount of \$600,000.00.

PARKS, PUBLIC WORKS AND WASTEWATER

Public Works

- h. A resolution authorizing the expenditure of \$108,000.00 to Eades Valuation Group for the completion of the 16 appraisals required in the James Little court case. (Added with permission of Chairman Henderson) (District 1)
- i. A resolution authorizing the Administrator for the Department of Public Works to approve Change Order No. 1, with Safeware Inc., relative to the U.S. Communities Contract #4400008468, automated high water road closure, for an increased amount of \$152,499.39, for a revised total amount of \$495,530.35. (Districts 3, 4, & 7)

- j. A resolution authorizing the Administrator for the Department of Public Works to renew the professional services On-Call Blanket Contract for landscape architect design services, Contract No. W-16-011-101, for year five (5) of five (5) to the ten (10) consultant firms listed per their qualifications package, in the amount of \$1,250,000.00 total: (1) ASA Engineering & Consulting, Inc.; (2) Barge Design Solutions; (3) Alfred Benesch and Company; (4) CDM Smith, Inc.; (5) Croy Engineering; (6) HDLA; (7) Ragan Smith Associates, Inc.; (8) Ross/Fowler, P.C.; (9) Stantec Consulting Services, Inc.; and (10) WMWA Landscape Architects.

Wastewater

- k. A resolution authorizing the Office of the City Attorney to institute eminent domain proceedings against C. H. Chen for a sewer easement located at 7881 Lee Highway, Chattanooga, TN 37421, identified as Parcel ID No. 139C-B-003, Contract No. W-20-001, e2i2 SSO Abatement Project. (District 6)
- l. A resolution authorizing the Wastewater Administrator to apply for and, if awarded, accept an Emerging Contaminants Grant from the Tennessee Department of Environment and Conservation Clean Water Program, for an amount up to \$300,000.00, and to sign all grant-related documents.

A resolution authorizing the Wastewater Administrator to apply for and, if awarded, accept a Forgivable SRF Emerging Contaminants Loan from the Tennessee Department of Environment and Conservation Clean Water Program, for an amount up to \$500,000.00, and to sign all related documents. (Alternate Version)

PLANNING

- m. 2024-0172 Saurin Patel (Abandon PUD). A resolution abandoning a Residential Planned Unit Development, Resolution No. 29499 of previous Case No. 2018-044, for property located at 805 Worlick Way, as detailed on the attached maps, subject to certain conditions. (District 4) (Recommended for approval by Planning Commission and denial by Staff)
- n. Mike Simmons (Special Exceptions Permit). A resolution approving a new Special Exceptions Permit for a new liquor store located at 1505 East 37th Street. (District 7) (Deferred from 11-19-2024)

- X. Purchases.

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XI. Committee Reports.

XII. Other Business. (Items Listed Below):

a. [Certificate of Compliance, 1505 Spirits, Inc. d/b/a 1505 Spirits, East 37th Street, Chattanooga, TN. \(District 7\) \(Deferred from 11-19-2024\)](#)

b. **CPD (re: Donation)**

XIII. Recognition of Persons Wishing to Address the Council.

XIV. Adjournment.