



Chattanooga City Council
City of Chattanooga, Tennessee
John P. Franklin, Sr. City Council Building

COUNCIL MEETING MINUTES

December 17, 2024

3:30 PM

CALL TO ORDER

Council Chairman Chip Henderson called the business meeting to order at 3:30 p.m. A quorum was present that also included Vice Chair Jenny Hill, and Councilpersons Ken Smith, Darrin Ledford, Isiah Hester, Raquetta Dotley, and Marvene Noel. Councilwoman Demetrus Coonrod was not in attendance at this meeting.

[Editor's Note: This meeting was live streamed on YouTube in two parts. Part 1 of this meeting (prior to the recess) is available [here](#). Part 2 of this meeting (after the recess) is available [here](#).]

OTHER PARTICIPANTS

Tennessee House of Representatives: Yusuf Hakeem, District 28 State Representative

Mayor's Office: Tim Kelly, Mayor; Jermaine Freeman, Chief of Staff; and Chris Anderson, Senior Advisor for Legislative Initiatives

City Court: Anthony Byrd, Clerk

Office of City Attorney: Phil Noblett, City Attorney

Family Justice Center: Regina McDevitt, Executive Director

Wastewater: Mark Heinzer, Administrator

Public Works: Tim Barnes, Deputy Administrator

Regional Planning: Karen Rennich, Deputy Director

Land Development: Akosua Cook, Development Review Planner

Purchasing: Debbie Talley, Chief Procurement Officer

Police: John Chambers, Chief

Council Office: Melissa Bardoner, Council Support Specialist, and Nicole Gwyn, Clerk to Council

PLEDGE OF ALLEGIANCE

Councilwoman Noel led the Assembly in the Pledge of Allegiance and gave an invocation.

SPECIAL PRESENTATION

In Memoriam of Dr. Carol Berz, District 6 Councilwoman

Chairman Henderson acknowledged the recent passing of Councilwoman Carol Berz and dedicated the beginning of the meeting to honoring her life and service. He invited current and former colleagues to share their memories of the councilwoman before inviting everyone present to take part in a flower laying ceremony. [View the full tribute [here](#).]

APPROVAL OF LAST MINUTES

On motion of Councilman Ledford and seconded by Councilwoman Noel, the minutes of the last meeting (December 10, 2024) were approved as published.

DISCUSSION AGENDA

ORDINANCES – FIRST READING:

Agenda Item VIII(a) – Council Office (Relative to Threat or Mass Violence on City property)

Councilman Ledford informed the Council he would be moving [on Councilwoman Coonrod's behalf] to defer this item until January 7, 2025. Vice Chair Hill requested clarifying language be added to the body of the ordinance; Attorney Nobleff affirmed. Upon no further comments or questions, the issue was closed.

Agenda Item VIII(b) – Planning – Case No. 2024-0165

Councilman Smith advised he would like a presentation on this item before the vote, as well as to hear from the applicant and any opposition. Upon no further comments or questions, the issue was closed.

Agenda Item VIII(c) – Planning – Case No. 2024-0183

Councilwoman Dotley advised that she would seek to defer this item until January 14, 2025. Upon no further comments or questions, the issue was closed.

RESOLUTIONS:

Agenda Item IX(d) – Economic Development (Relative to Property Exchange Agreement with Frank C. Kimsey)

Vice Chair Hill spoke briefly about this item and asked Mr. Kimsey to verbally acknowledge his agreement of it; Mr. Kimsey affirmed. Upon no further comments or questions, the issue was closed.

Agenda Item IX(e) – Economic Development (Relative to Riverwalk Easement Agreement with NRCC, LLC)

Vice Chair Hill requested clarification regarding this item; Mr. Freeman responded. Upon no further comments or questions, the issue was closed.

Agenda Item IX(i) – Public Works (Relative to Change Order No. 1 with Safeware Inc. for U.S. Communities contract)

Councilman Ledford asked Mr. Barnes to provide further information about this item; Mr. Barnes complied. Upon no further comments or questions, the issue was closed.

Agenda Item IX(l) – Wastewater (Relative to Conservation Clean Water Program)

Chairman Henderson asked Mr. Heinzer to explain this item and why the alternate version was needed; Mr. Heinzer affirmed. Upon no further comments or questions, the issue was closed.

Agenda Item IX(n) – Planning (Relative to Special Exceptions Permit for 1505 East 37th St.)

Councilwoman Dotley advised she would be seeking to defer this item. Upon no further comments or questions, the issue was closed.

RECESS

Upon no objections from the Council, at 4:20 p.m., Chairman Henderson recessed the business meeting until 4:45 p.m.

MEETING RECONVENED

Chairman Henderson reconvened the meeting at 4:45 p.m. A quorum was present that also included Vice Chair Hill and Councilpersons Smith, Ledford, Hester, Dotley, Noel, and Coonrod. Attorney Noblett and Ms. Gwyn were also present.

ORDER OF BUSINESS

**PUBLIC HEARING - FBC-24-4: Gus’s Fried Chicken,
1846 Market Street (MAP#23-106)
[View the full hearing [here.](#)]**

Ms. Cook (LDO) gave a brief presentation [slides available [here](#)] on the appeal filed by Mike Price, agent for the property owner and the proposed development. Mr. Price requested the Council to approve the Form-Based Code (FBC) Major Modifications Request #7” in the case.

“Request to exceed the 15’ maximum allowed building setback from Market Street by 32.2’, for a total setback of 47.2’. {Code Section 38-717(3)A.}”

Ms. Cook discussed the FBC Committee’s denial on November 14, 2024, due to problems with the requested setback, which they did not feel matched the urban form.

Councilwoman Dotley did not request the Applicant to present his case. She informed the Council that the Fort Negley Neighborhood now approves all of the modifications that Mr. Price had requested from the FBC Committee. Therefore, **Councilwoman Dotley moved** to accept the modification request by Mr. Price. Councilman Ledford seconded. The motion carried. Upon no further questions, the hearing was closed.

ORDINANCES – FINAL READING:

PROCEDURAL NOTE: With no objection from the Council, Chairman Henderson instructed the Clerk to group and read the following eleven ordinances for one Council vote.

Alternate Version #2

ORDINANCE #14171

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.

2024-0182
Austin Renegar
Planning Version #2
District No. 1

ORDINANCE #14172

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.

2024-0162
Stone Creek Consulting, LLC
Planning Version #2
District No. 3

ORDINANCE #14173

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.

2024-0163
Honey and Vinegar, LLC
Planning Commission Version
District No. 4

ORDINANCE #14174

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.

2024-0184
Stone Creek Consulting, LLC c/o Allen Jones
Planning Commission Version
District No. 4

ORDINANCE #14175

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.

2024-0185
Cornerstone Apostolic Church c/o Raymond Sloan
Planning Commission Version
District No. 4

ORDINANCE #14176

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.

2024-0155
1265 E. 13th LLC
Planning Commission Version
District No. 8

ORDINANCE #14177

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.

2024-0161
Wise Properties, LLC
Planning Commission Version
District No. 9

ORDINANCE #14178

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.

2024-0191
Miken Development c/o Michael Kenner
Planning Commission Version
District No. 9

ORDINANCE #14179

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.

2024-0181
Stone Creek Consulting, LLC c/o Allen Jones
Planning Commission Version
District No. 9

ORDINANCE #14180

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.

ORDINANCE #14181

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.

Councilman Ledford moved to approve all eleven ordinances. Councilman Hester seconded. The motion carried.

ACTION: ORDINANCES 14171 – 14181 APPROVED

MR 2024-0157
ASA Engineering & Consulting Inc. c/o Rachel Tranel
District No. 7

On motion of Councilwoman Dotley and seconded by Councilman Ledford,

ORDINANCE #14182

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.

The motion carried.

ACTION: APPROVED

ORDINANCES – FIRST READING:

Agenda Item VIII(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.

Councilman Ledford moved to defer to January 7, 2024. Councilman Smith seconded. The motion carried. He advised that Attorney Noblett would be revising language in the ordinance, per the Council's discussion earlier in today's meeting.

ACTION: DEFERRED TO JANUARY 7, 2025

2024-0165
Scenic City Home Builders, LLC
Planning Commission Version
District No. 3

Agenda Item VIII(b):

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.

After the reading of the ordinance, a hearing took place [view [here](#)]. During which, Ms. Rennich (RPA) gave the staff presentation on the case. Discussion ensued about the Planning Commission's recommendation of a condition to limit the number of dwelling units to five maximum.

On behalf of the Applicant:

- [Gordon Hulgan](#) – He spoke on their desire for a smaller density and expressed his desire to work with the neighborhood.

Councilman Smith advised that he could not move to approve this rezoning tonight but would give the Applicant an opportunity to withdraw. Mr. Hulgan expressed a desire to withdraw the rezoning request to come to a common goal with the neighborhood. Therefore, **Councilman Smith moved** to withdraw. Vice Chair Hill seconded. The motion carried.

ACTION: CASE NO. 2024-0165 WITHDRAWN

2024-0183
Chattanooga Engineering Group c/o Rocky Chambers
Planning Commission Version
District No. 7

Agenda Item VIII(c):

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.

Councilwoman Dotley moved to defer to January 14, 2025, due to the need for more community work on the case. Councilman Ledford seconded. The motion carried.

ACTION: DEFERRED TO JANUARY 14, 2025

RESOLUTIONS:

PROCEDURAL NOTE: With no objection from the Council, Chairman Henderson instructed the Clerk to group and read the following two resolutions for one Council vote.

RESOLUTION #32341

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.

RESOLUTION #32342

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.

Councilwoman Dotley moved to approve both resolutions. Councilman Ledford seconded. The motion carried.

ACTION: RESOLUTIONS 32341 & 32342 ADOPTED

PROCEDURAL NOTE: With no objection from the Council, Chairman Henderson instructed the Clerk to group and read the following four resolutions for one Council vote.

RESOLUTION #32343

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).

RESOLUTION #32345

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.

RESOLUTION #32346

A RESOLUTION AUTHORIZING THE MAYOR OR HIS DESIGNEE TO ENTER INTO AN AMENDED AND READVISED THAT 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).

RESOLUTION #32347

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.

Vice Chair Hill moved to approve all four resolutions. Councilwoman Dotley seconded. The motion carried.

ACTION: RESOLUTIONS 32343 & 32345 – 32347 ADOPTED

On motion of Vice Chair Hill and seconded by Councilwoman Dotley,

RESOLUTION #32344

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.

Chairman Henderson opened the floor to the Applicant, Frank Kimsey, who discussed plans to build a single-family home on the property. Vice Chair Hill asked Mr. Kimsey if he accepted sections 10, 11, and Article C of the resolution. Mr. Kimsey acknowledged that he did. **Vice Chair Hill moved** to approve. Councilman Ledford seconded. The motion carried.

ACTION: ADOPTED

PROCEDURAL NOTE: With no objection from the Council, Chairman Henderson instructed the Clerk to group and read the following four resolutions for one Council vote.

RESOLUTION #32348

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.

RESOLUTION #32349

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.

RESOLUTION #32350

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.

RESOLUTION #32351

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.

Councilman Hester moved to approve all four resolutions. Vice Chair Hill seconded. The motion carried.

ACTION: RESOLUTIONS 32348 – 32351 ADOPTED

Alternate Version

On motion of Vice Chair Hill and seconded by Councilman Ledford,

RESOLUTION #32352

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.

The motion carried.

ACTION: ADOPTED

2024-0172
Saurin Patel
District No. 4

RESOLUTION #32353

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.

Discussion ensued with Ms. Rennich about an amendment made at the Planning Commission that added a fifth condition setting a maximum of 31 units. Ms. Rennich acknowledged that a fifth condition had not be added to the documents currently before the Council. Attorney Noblett read the current four conditions. On behalf of the Applicant, Mr. Price acknowledged his acceptance of these four conditions. **Councilman Ledford moved** to approve with the intent to amend. Councilwoman Dotley seconded. **Councilman Ledford moved** to amend to add condition #5: *total maximum of 31 units*. Councilwoman Dotley seconded. **Councilman Ledford moved** to approve as amended. Vice Chair Hill seconded. The motion carried.

ACTION: ADOPTED AS AMENDED

Mike Simmons
District No. 7

Agenda Item IX(n):

A RESOLUTION APPROVING A NEW SPECIAL EXCEPTIONS PERMIT FOR A NEW LIQUOR STORE LOCATED AT 1505 EAST 37TH STREET.

Councilwoman Dotley moved to defer to January 21, 2025. Vice Chair Hill seconded. The motion carried.

ACTION: DEFERRED TO JANUARY 21, 2025

DEPARTMENTAL REPORTS:

[View [here](#)]

Recommended New Purchases (5)

Ms. Talley (Purchasing) recommended the following new purchases for Council consideration:

PA100063 Fleet Management Division, Public Works \$1,000,000.00

Automotive Parts Catalog

Lowest/Best Bidder: Lee-Smith Inc
2600 8th Avenue
Chattanooga, TN 37407

PA100701 Facilities Management Division, Public Works \$400,000.00

Door Inspection, Maintenance, Installation & Repair Services

Lowest/Best Bidder: King Door Company
1802 Abutment Road
Dalton, GA 30721

PA100181 Treasury \$50,000.00
 Armored Car Service
 Lowest/Best Bidder: Loomis Armored US LLC
 2305 B Dodson Avenue
 Chattanooga, TN 37406

Solicitation 200725,1 Chattanooga Police Department \$200,000.00
 Chattanooga Police Department Promotional Assessment Testing
 Lowest/Best Bidder: I/O Solutions
 520 Kensington Road, Suite 110
 Oak Brook, IL 60523

Solicitation 200729, 2-2 Wastewater \$135,000.00
 Valve Actuator Services
 Lowest/Best Bidder: Industrial Valve Sales & Services, Inc
 P.O. Box 1456
 Cleveland, TN 37364

Vice Chair Hill moved to approve. Councilwoman Dotley seconded. The motion carried.

ACTION: ALL NEW PURCHASES APPROVED

Sole Source Purchase (1)

Ms. Talley also reported the following sole source purchase:

DATE	DEPARTMENT	SUPPLIER	ITEM DESCRIPTION	EXPLANATION	COST	DOCUMENTS
12/4/24	Waste Water	Water and Waste Equipment, 2335 Shady Lane, Cleveland, TN 37312	Submersible Grinder Pumps	The grinder pumps will be used for repairs.	\$24,073.16	REQ157421

[No Council action was required for this report.]

COMMITTEE REPORTS:

Affordable Housing Committee
 Vice Chair Hill (No report)

Budget and Finance Committee
 (No report – new committee chair pending)

Economic Development Committee
 Councilwoman Coonrod (Not present)

Education and Innovation Committee
 Councilwoman Noel (No report)

Equity and Community Development Committee
Councilwoman Coonrod (Not present)

Human Resources Committee
Councilwoman Coonrod (Not present)

Legislative Committee
Councilman Smith had no report but did make the following request:

- A resolution be drafted to rename the Family Justice Center to the Carol Berz Family Justice Center.

Planning and Zoning Committee
Councilman Ledford (No report)

Parks and Public Works
Councilman Hester (No report)

Public Safety Committee
Councilwoman Dotley (No report)

OTHER BUSINESS

Certificate of Compliance

Attorney Noblett confirmed that, due to the deferral of a resolution tonight, the following Certificate of Compliance will be deferred to the January 21, 2025, agenda: 1505 Spirits, Inc. d/b/a 1505 Spirits, East 37th Street, Chattanooga, TN. (District 7).

CPD Donation Report

Chief Chambers reported a donation to CPD and provided a written statement to the Council that read as follows: “On November 26, 2024, the Chattanooga Police Department received a Thanksgiving meal provided by Jim N Nick’s Bar-8-Q and the Chattanooga Police Foundation. This collaborative effort was valued at \$7,235.32, which included a generous discount of \$2,958.85 from Jim N Nick’s. The remaining balance of \$5,000 was covered for a second year by the Chattanooga Police Foundation, under the leadership of President Ron Hart.” There were no questions from the Council about this donation.

RECOGNITION OF PERSONS WISHING TO ADDRESS COUNCIL

[View [here](#)]

Attorney Noblett read the rules of procedure for persons wishing to address the Council. After which, Chairman Henderson recognized the following persons:

Speaker Name	District No.	Primary Topics
• Monty Bell	(N/A)	Residency issues for mayoral race
• Janice Gooden	8	Thoughts on the late Councilwoman
• Mike Price	(N/A)	Thoughts on the late Councilwoman

ADJOURNMENT

On motion of Councilwoman Dotley, Chairman Henderson adjourned the meeting of the Chattanooga City Council until next **Tuesday, January 7, 2025**, at 3:30 p.m.

COUNCIL CHAIR

CLERK OF COUNCIL

*Attachment
FBC-24-4 Letter of Appeal*



11/14/24

Mr. William Gore
Director of Land Development Office
City of Chattanooga
1250 Market Street, Ste. 1000
Chattanooga, TN 37402

**Re: FBC Major Modification Request # FBC-24-4
1846 Market Street
MAP Project No. 2023-106**

Dear Mr. Gore,

On November 14, 2024 the Form-Based Code Committee voted to deny the FBC Major Modifications Request #7 in Case FBC-24-4 presented by MAP Engineers as agent on behalf of the property owner and the proposed development.

Please consider this letter as a signed, written request to appeal the FBC Committee's decision on Major Modification Request #7 to the Chattanooga City Council.

Major Modification Request #7 is as follows:

“Request to exceed the 15' maximum allowed building setback from Market Street by 32.2', for a total setback of 47.2'. {Code Section 38-717(3)A.}”

The design as proposed will not work without approval to locate the building beyond the 15' maximum building setback, even with the other 8 approved major modifications.

Should you require additional information or have any questions regarding this case, please contact me at 423-855-5554.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Michael A. Price'.

Michael A. Price, PE
President, MAP Engineers LLC

Cc: Via Email

Councilwoman Raquetta Dotley <rdotley@chattanooga.gov>
Dan Butler <danbutler901@gmail.com>
Philip Sampietro <philips@gusfriedchicken.com>
Michael Walker <michael@walkarch.com>

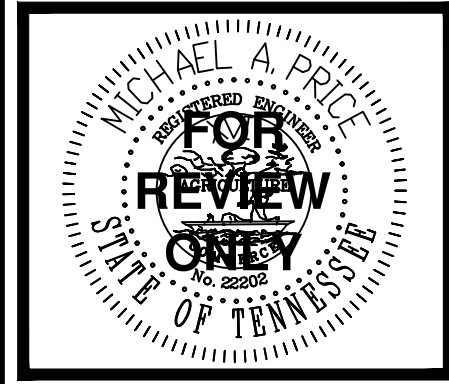
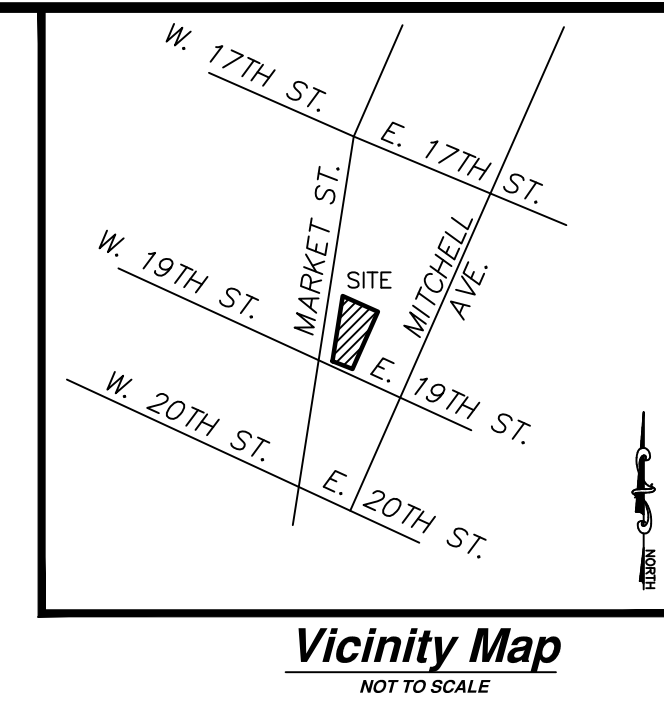
FORM BASE CODE MODIFICATIONS REQUEST:

MAJOR MODIFICATIONS:

- APPROVED** 1) REQUEST A REDUCTION OF THE MINIMUM BUILDING FRONTAGE ON MARKET STREET FROM 80% (160') TO 27% (54').
[Code Section 38-717(3)E.]
- APPROVED** 2) REQUEST A REDUCTION OF THE PARKING SETBACK ON MARKET STREET FROM 30' TO 0.6'.
[Code Section 38-717(4)A.]
- APPROVED** 3) REQUEST A REDUCTION OF THE MINIMUM BUILDING HEIGHT FROM 2 STORIES TO 1 STORY w/ A 5' HIGH PARAPET WALL, FOR A TOTAL BUILDING HEIGHT OF 19'-6".
[Code Section 38-717(5)B.]
- APPROVED** 4) REQUEST TO EXCEED THE ALLOWED 4 PARKING SPACE MAXIMUM BY 12 SPACES, FOR A TOTAL OF 16 PROPOSED SPACES.
[Code Section 38-741(1)E.]
- APPROVED** 5) REQUEST TO ALLOW THE PARKING AND SIDEWALK TO ENCROACH THE 6' PERIMETER PARKING LANDSCAPE AREA. MINIMUM AREA REQUIRED= 2,256± SF, TOTAL AREA PROVIDED= 1,948± SF.
[Code Section 38-748(4)]

- APPROVED** 6) REQUEST TO ALLOW THE LANDSCAPE ISLANDS AS SHOWN WITH WIDTHS AND AREAS LESS THAN THE REQUIRED MINIMUM 13.5' WIDTH, AND MINIMUM 243 SF AREA.
[Code Section 38-748(2)C.]
 - DENIED** 7) REQUEST TO EXCEED THE 15' MAXIMUM ALLOWED BUILDING SETBACK FROM MARKET STREET BY 32.2', FOR A TOTAL SETBACK OF 47.2'.
[Code Section 38-717(3)A.]
 - APPROVED** 8) REQUEST TO EXCEED THE 15' MAXIMUM ALLOWED BUILDING SETBACK FROM EAST 19TH STREET BY 115.1', FOR A TOTAL SETBACK OF 130.1'.
[Code Section 38-717(3)A.]
 - APPROVED** 9) REQUEST TO NOT PROVIDE ACCESS TO THE ALLEY.
[Code Section 38-717(4)]
- MINOR MODIFICATIONS:**
- STAFF APPROVED** A) REQUEST A REDUCTION OF THE MINIMUM GROUND STORY PENETRATION FROM 50% TO 48.5%.
[Code Section 38-717(6)A.]
 - STAFF APPROVED** B) REQUEST A REDUCTION OF THE MINIMUM FURNITURE ZONE/STREET TREE PLANTING ZONE WIDTH FROM 6' TO 4'.
[Code Section 38-717(6)K.]

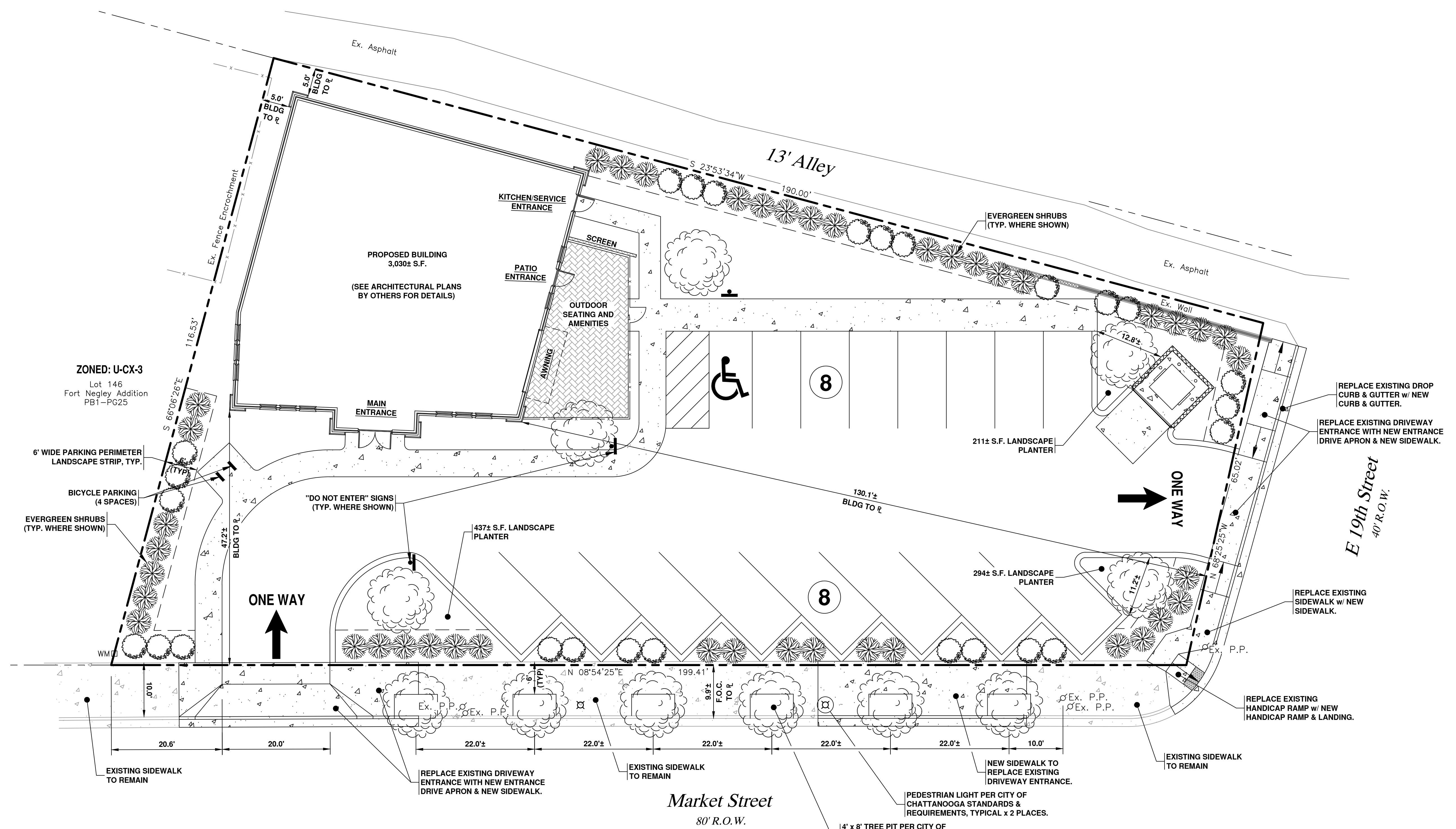
SITE ANALYSIS	
PROPERTY ADDRESS:	1846 MARKET STREET
TAX MAP ID:	145L-E-020
CURRENT ZONING:	U-CX-3
ACREAGE:	0.40± ACRES
PROPOSED BUILDING AREA:	3,030± SF
PROPOSED NEW REGULAR PARKING SPACES:	15 SPACES
PROPOSED NEW HANDICAP PARKING SPACES:	1 SPACES
PROPOSED TOTAL PARKING SPACES:	16 SPACES
TOTAL PROPOSED PERVIOUS AREA:	0.11± ACRE



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MAP ENGINEERS L.L.C.
CELEBRATING 28 YEARS

GRAPHIC SCALE
10' 5' 0' 10' 20' 30'



ZONED: U-CX-3
Lot 146
Fort Negley Addition
PB1-PG25

Gus's World Famous Fried Chicken
FOR:
Gus's World Famous Fried Chicken
1846 Market Street
Chattanooga, TN 37408

CURRENT PROPOSED SITE PLAN

REVISIONS	
1	
2	
3	
4	
5	

FILE: 23106_PRELIMINARY.DWG

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DATE:	06/26/24
DRAWN BY:	SBT
CHECKED BY:	MAP
PROJ. NUMBER:	23-106
SHEET NUMBER:	PS-1

Current Proposed Site Plan
SCALE: 1" = 10'