

TUESDAY, FEBRUARY 10, 2015
CITY COUNCIL REVISED AGENDA
6:00 PM

- I. Call to Order.
- II. Pledge of Allegiance/Invocation (Chairman Henderson).
- III. Minute Approval.
- IV. Special Presentation.
- V. Ordinances – Final Reading:

PLANNING

- a. [An ordinance deannexing certain tracts of property located at 1206 Sunset Drive, 1218 Sunset Drive, and 1220 Sunset Drive which are currently in the City of Chattanooga. \(District 1\) \(Public Hearing\)](#)
- b. [An ordinance deannexing certain tracts of property located at 4440 Woodland Drive which is currently in the City of Chattanooga. \(District 4\) \(PublicHearing\)](#)

PUBLIC WORKS AND TRANSPORTATION

Transportation

- c. [MR-2014-059 Christy P. McCain \(Abandonment\). An ordinance closing and abandoning an opened and unopened street in the 1400 block of Glen Haven Place beginning at a point along the east property line, subject to certain conditions. \(District 2\)](#)

- VI. Ordinances – First Reading:

PLANNING

- a. [2015-001 Frank Goodwin/Hard Luck Land & Cattle Company \(R-3 Residential Zone to RZ-1 Zero Lot Line Residential Zone\). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone property located at 500 Whitehall Road, more particularly described herein, from R-3 Residential Zone to RZ-1 Zero Lot Line Residential Zone, subject to certain conditions. \(Recommended for approval by Planning and Staff\) \(District 1\)](#)

[2015-001 Frank Goodwin/Hard Luck Land & Cattle Company \(R-3 Residential Zone to RZ-1 Zero Lot Line Residential Zone\). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone property located at 500 Whitehall Road, more particularly described herein, from R-3 Residential Zone to RZ-1 Zero Lot Line Residential Zone. \(Applicant Version\)](#)

- b. [2015-008 Joseph Ingram/Chris Paty \(Lift Condition\). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to lift the condition from Resolution No. 27748 with regard to sidewalks being required on properties located along the stretch of the 1000 block of Dallas Road, being more particularly described herein. \(Recommended for denial by Planning and Staff\) \(District 2\)](#)
- c. [2015-006 Belle Investment Company/Travis Fuller/Grider/GVH Shall Jen Association \(R-2 Residential Zone and C-2 Convenience Commercial Zone to R-3 Residential Zone\). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone properties located at 7810 and 7816 Shallowford Road, 2237 and 2241 Jenkins Road, and 2306 and 2338 Grider Way, more particularly described herein, from R-2 Residential Zone and C-2 Convenience Commercial Zone to R-3 Residential Zone. \(Recommended for denial by Planning and Staff\) \(District 4\)](#)
- d. [2015-010 Phil Whitfield/Capitol Toyota \(R-1 Residential Zone to C-2 Convenience Commercial Zone\). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone properties located at 211 and 301 Chickamauga Road, more particularly described herein, from R-1 Residential Zone to C-2 Convenience Commercial Zone. \(Recommended for approval by Planning and Staff\) \(District 6\)](#)
- e. [2014-139 The Broadway Group, LLC/Joseph E. Proctor \(R-1 Residential Zone to C-2 Convenience Commercial Zone\). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone properties located at 6514 and 6518 Shallowford Road, more particularly described herein, from R-1 Residential Zone to C-2 Convenience Commercial Zone, subject to certain conditions. \(Recommended for approval by Planning and recommended for denial by Staff\) \(District 6\)](#)

[2014-139 The Broadway Group, LLC/Joseph E. Proctor \(R-1 Residential Zone to C-2 Convenience Commercial Zone\). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone properties located at 6514 and 6518 Shallowford Road, more particularly described herein, from R-1 Residential Zone to C-2 Convenience Commercial Zone. \(Applicant Version\)](#)

- f. [2015-002 Yun Tibbitts \(R-1 Residential Zone to R-2 Residential Zone\). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone property located at 4411 13th Avenue, more particularly described herein, from R-1 Residential Zone to R-2 Residential Zone, subject to certain conditions. \(Recommended for approval by Planning and Staff\) \(District 7\)](#)

[2015-002 Yun Tibbitts \(R-1 Residential Zone to R-2 Residential Zone\). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone property located at 4411 13th Avenue, more](#)

- particularly described herein, from R-1 Residential Zone to R-2 Residential Zone. **(Applicant Version)**
- g. 2015-004 Charles M. Rogers (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 3913 6th Avenue, more particularly described herein, from R-1 Residential Zone to R-2 Residential Zone, subject to certain conditions. **(Recommended for approval by Planning and recommended for denial by Staff) (District 7)**
- 2015-004 Charles M. Rogers (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 3913 6th Avenue, more particularly described herein, from R-1 Residential Zone to R-2 Residential Zone. **(Applicant Version)**
- h. 2015-005 Allen Jones/Alton Properties (C-2 Convenience Commercial Zone to C-3 Central Business Zone). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone properties located at 510 East Main Street, more particularly described herein, from C-2 Convenience Commercial Zone to C-3 Central Business Zone, subject to certain conditions. **(Recommended for approval by Planning and Staff) (District 7)**
- 2015-005 Allen Jones/Alton Properties (C-2 Convenience Commercial Zone to C-3 Central Business Zone). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone properties located at 510 East Main Street, more particularly described herein, from C-2 Convenience Commercial Zone to C-3 Central Business Zone. **(Applicant Version)**
- i. 2015-007 David Hudson/New Home Missionary Baptist Church (M-1 Manufacturing Zone, C-2 Convenience Commercial Zone, and R-4 Special Zone to C-3 Central Business Zone). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone properties located at 1001 and 1019 McCallie Avenue, more particularly described herein, from M-1 Manufacturing Zone, C-2 Convenience Commercial Zone, and R-4 Special Zone to C-3 Central Business Zone, subject to certain conditions. **(Recommended for approval by Planning and Staff) (District 8)**
- 2015-007 David Hudson/New Home Missionary Baptist Church (M-1 Manufacturing Zone, C-2 Convenience Commercial Zone, and R-4 Special Zone to C-3 Central Business Zone). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone properties located at 1001 and 1019 McCallie Avenue, more particularly described herein, from M-1 Manufacturing Zone, C-2 Convenience Commercial Zone, and R-4 Special Zone to C-3 Central Business Zone. **(Applicant Version)**

- j. [2015-009 Choo Choo Partners, LP \(M-1 Manufacturing Zone to C-3 Central Business Zone\). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone property located at 1400 Market Street, more particularly described herein, from M-1 Manufacturing Zone to C-3 Central Business Zone, subject to certain conditions. \(Recommended for approval by Planning and Staff\) \(District 8\)](#)

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- k. [An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, Article II, Section 38-2, Definitions and Article V, Division 13, Section 38-185; Division 14, Section 38-205; Division 15, Section 38-224; Division 16, Section 38-246, Uses Permitted as Special Exceptions by the City Council; Division 17, Section 38-266, Prohibited Uses and Structures; and Article V, Division 18, Section 38-289, Uses Which Require a Special Permit; and Article V, Division 19, Section 38-303, Uses Permitted as Special Exceptions by the City Council; and Article V, Division 9, Section 38-125, Prohibited Uses and Structures; and Article V, Division 10, Section 38-134, General Function \(Permitted Uses\); and Article VI, Division 2, Section 38-529, Special Exception Permit for Alternative Financial Services Establishment.](#)

VII. [Resolutions:](#)

ECONOMIC AND COMMUNITY DEVELOPMENT

- a. [A resolution to make certain findings relating to the UTC Five, LLC Project, to delegate certain authority to the Health, Educational, and Housing Facility Board, and to authorize the Mayor to enter into and execute an Agreement for Payments in Lieu of Ad Valorem Taxes. \(District 7\)](#)

HUMAN RESOURCES

- b. [A resolution authorizing the appointment of Amber Clark as a special police officer \(unarmed\) for the McKamey Animal Center to do special duty as prescribed herein, subject to certain conditions.](#)

MAYOR'S OFFICE

- c. [A resolution to confirm the Mayor's appointment of Tim Kelly to the Stadium Board.](#)
- d. [A resolution to confirm the Mayor's appointments of Warren Barnett and Dr. Paul Conn and reappointment of Dan Jacobson to the Airport Authority.](#)

POLICE

- e. [A resolution authorizing the Chief of Police to apply for, and if awarded, accept a grant from Aegis Foundation to purchase body worn cameras for permanent and long term testing of equipment and developing policy and procedures for use, in the amount of \\$12,500.00.](#)

PUBLIC WORKS AND TRANSPORTATION

Public Works

- f. [A resolution to amend Resolution No. 27778, as adopted on January 21, 2014, relative to the agreement for the closure/post closure plan for the City Landfill with the State of Tennessee, Division of Solid Waste Management, by deleting "an amount not to exceed \\$1,783,152.00" and substituting in lieu thereof "an amount not to exceed \\$1,746,120.00".](#)
- g. [A resolution to amend Resolution No. 27779, as adopted on January 21, 2014, relative to the agreement for the closure/post closure plan for the City Landfill, Lateral Expansion Area 3 with the State of Tennessee, Division of Solid Waste Management, by deleting "an amount not to exceed \\$7,274,049.00 and substituting in lieu thereof "an amount not to exceed \\$7,386,797.00".](#)
- h. [A resolution to amend Resolution No. 27780, as adopted on January 21, 2014, relative to the agreement for the closure/post closure plan for the Summit Sanitary Landfill with the State of Tennessee, Division of Solid Waste Management, by deleting "an amount not to exceed \\$2,259,491.00 and substituting in lieu thereof "an amount not to exceed \\$2,130,619.00".](#)

Transportation

- i. [A resolution authorizing the Administrator for the Department of Transportation to enter into an agreement with Wilson Construction, LLC relative to Contract No. E-09-018-201, TDOT PIN 112010.00 for SR58, Pedestrian and Bicycle Facilities, and Stormwater Improvements, with the City's portion in the amount of **\\$811,956.99**, for an amount not to exceed \\$1,534,849.70. **\(Districts 3 and/or 5\) \(Revised\)**](#)
- j. [A resolution authorizing the Administrator for the Department of Transportation to enter into an agreement with Wilson Construction, LLC relative to Contract No. E-09-019-201, TDOT PIN 112010.00 for SR27 \(Rossville Boulevard\) Pedestrian and Bicycle Facilities, with the City's portion in the amount of **\\$164,007.50**, for an amount not to exceed \\$674,590.74. **\(District 7\) \(Revised\)**](#)
- k. [A resolution authorizing the Mayor to enter into agreements relative to Resolution No. 27843 \(TIGER 6 Grant Award for the Commuter Rail and Transit-Oriented Development Planning Project No. TN-79-1000\).](#)

YOUTH AND FAMILY DEVELOPMENT

- l. [A resolution authorizing a blanket acceptance for donations by the Department of Youth and Family Development under \\$10,000.00 which](#)

[can be accepted without Council approval but will be reported to Council on a monthly basis.](#)

- m. [A resolution authorizing the Administrator for the Department of Youth and Family Development to accept donations on the attached list from April 2013 through January 2015, for the total donation amount of \\$37,381.45.](#)

VIII. Departmental Reports:

- a) Police.
- b) Fire.
- c) Economic and Community Development.
- d) Youth and Family Development.
- e) Transportation.
- f) Public Works.
- g) Finance.

IX. Other Business.

X. Committee Reports.

XI. Agenda Session for Tuesday, February 17, 2015

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

XIII. Adjournment.

TUESDAY, FEBRUARY 17, 2015
CITY COUNCIL AGENDA
6:00 PM

1. Call to Order.
2. Pledge of Allegiance/Invocation (Councilman Mitchell).
3. Minute Approval.
4. Special Presentation.

*Special Presentation to Officers Stephen Huckabee, Joshua Branam,
Eddie Mansell and Clayton Holmes*
Presented by _____

Special Recognition of Napoleon Dunson

5. Ordinances – Final Reading:

PLANNING

- a. 2015-001 Frank Goodwin/Hard Luck Land & Cattle Company (R-3 Residential Zone to RZ-1 Zero Lot Line Residential Zone). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone property located at 500 Whitehall Road, more particularly described herein, from R-3 Residential Zone to RZ-1 Zero Lot Line Residential Zone, subject to certain conditions. **(Recommended for approval by Planning and Staff) (District 1)**

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Residential Zone. **(Recommended for denial by Planning and Staff)**
(District 4)

- d. 2015-010 Phil Whitfield/Capitol Toyota (R-1 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 properties located at 211 and 301 Chickamauga Road, more particularly described herein, from R-1 Residential Zone to C-2 Convenience Commercial Zone. **(Recommended for approval by Planning and Staff) (District 6)**
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- k. [An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, Article II, Section 38-2, Definitions and Article V, Division 13, Section 38-185; Division 14, Section 38-205; Division 15, Section 38-224; Division 16, Section 38-246, Uses Permitted as Special Exceptions by the City Council; Division 17, Section 38-266, Prohibited Uses and Structures; and Article V, Division 18, Section 38-289, Uses Which Require a Special Permit; and Article V, Division 19, Section 38-303, Uses Permitted as Special Exceptions by the City Council; and Article V, Division 9, Section 38-125, Prohibited Uses and Structures; and Article V, Division 10, Section 38-134, General Function \(Permitted Uses\); and Article VI, Division 2, Section 38-529, Special Exception Permit for Alternative Financial Services Establishment.](#)

6. Ordinances – First Reading:

PUBLIC WORKS AND TRANSPORTATION
Transportation

- a. [MR-2014-087 David Noblit \(Abandonment\). An ordinance closing and abandoning an opened alleyway in the 1000 block of Endicott Street, subject to certain conditions. \(District 2\)](#)
- b. [MR-2014-135 James E. Campbell \(Abandonment\). An ordinance closing and abandoning an opened unnumbered block of 4th Street and closing and abandoning an unopened alleyway in the 300 block of North Hawthorne Street, subject to certain conditions. \(District 8\)](#)

7. Resolutions:

ECONOMIC AND COMMUNITY DEVELOPMENT

- a. [A resolution approving the proposed Charter of the Chattanooga Land Bank Authority; Authorizing the submission of said charter to the Secretary of State for Certificate of Incorporation; and delegating and authorizing certain powers to the Chattanooga Land Bank Authority.](#)

MAYOR'S OFFICE

- b. [A resolution to confirm the Mayor's re-appointments of Wilbert Roberts and Edna Varner to the Chattanooga Housing Authority Board.](#)

PUBLIC WORKS AND TRANSPORTATION

Public Works

- c. [A resolution authorizing the Administrator for the Department of Public Works to enter into award Contract No. W-12-002-201, Riverbank Stabilization Slope Failure Repair River Mile 466, to Stephens Construction and Concrete, Inc., in the amount of \\$565,489.08, with a contingency amount of \\$593,763.08, for an amount not to exceed \\$28,274.00. Contract to be established from United States Army Corp of Engineers Contract No. W912P5-14-C-0010 with Stephens Construction and Concrete, Inc. \(District 2\)](#)

- d. [A resolution authorizing the approval of Change Order No. 1 \(Final\) for Hurst Excavating, LLC relative to Contract No. W-10-006-201, Pineville Road Sewer Basin Improvements, for a decreased amount of \\$210,549.86\), for a revised contract amount not to exceed \\$904,885.14, and to release the remaining contingency of \\$110,000.00. \(District 1\)](#)

Transportation

- e. [A Resolution authorizing Mark Baldwin, on behalf of Richard Krause, to use temporarily the right-of-way for use of the sidewalk located in front of 100 Market Street to install a rail and put tables and chairs within alignment, as shown on the attached photo and drawings and made a part hereof by reference, subject to certain conditions. \(District 7\)](#)
- f. [A resolution authorizing S. Reginald Ruff, III and Thomas Brooks to install two aluminum canopies above the sidewalk at 431 Martin Luther King Boulevard, as shown on the attached photo and drawing and made a part hereof by reference, subject to certain conditions. \(District 8\)](#)

8. Departmental Reports:

- a) Police.
- b) Fire.
- c) Economic and Community Development.
- d) Youth and Family Development.
- e) Transportation.
- f) Public Works.
- g) Finance.

9. Other Business.

- a) Liquor store application – Scenic City Beverage Company.

10. Committee Reports.

11. Agenda Session for Tuesday, February 24, 2015.

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

13. Adjournment.