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TUESDAY, NOVEMBER 14, 2017
CITY COUNCIL REVISED AGENDA
6:00 PM

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

“Retirement of Rick Davis for 37 years of service with CDOT”

By Blythe Bailey, Administrator for the Department of Transportation

V. **Ordinances – Final Reading:**

ECONOMIC AND COMMUNITY DEVELOPMENT

- a. [An ordinance to amend Chattanooga City Code, Part II, Chapter 21, Article VIII, Office of the Administrative Hearing Officer, Section 21-150, Creation by ordinance, contents of ordinance, interlocal agreements, existing municipal power or authority.](#)

FINANCE

- b. [An ordinance to amend Chattanooga City Code, Part II, Chapter 2, relative to the Fire and Police Pension Fund and Limitations and Rollovers.](#)

POLICE

- c. [An ordinance to amend Chattanooga City Code, Chapter 5, Section 5-87, Consumption of Alcoholic Beverages and Beer Prohibited in Certain Places; Open Containers of Alcoholic Beverages and Beer Prohibited in Certain Places.](#)

TRANSPORTATION

- d. [An ordinance granting a franchise to Crown Castle NG Central LLC, for the purpose of allowing it to construct, install and operate certain telecommunications wires and cabling within the public rights-of-way in order to provide telecommunications services within the City; setting forth conditions accompanying the grant of the franchise; providing for regulation and use of the system and the public rights-of-way in conjunction with the City's right-of-way ordinance; and prescribing penalties for the violations of the provisions herein.](#)

VI. **Ordinances – First Reading:**

LEGAL

- a. An ordinance considering the requested deannexation of one (1) tract of property located adjacent to Wauhatchie Pike and Emmaus Road which is referenced as Tax Map Parcel No. 165-008 containing approximately three hundred ninety (390) acres which is currently in the City of Chattanooga. (Revised Alternative Version) (Deferred from 10/31/17)

PLANNING

- b. 2017-128 Catherine Hunkapiller (R-1 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 4057 Mountain Creek Road, more particularly described herein, from R-1 Residential Zone to RZ-1 Zero Lot Line Residential Zone, subject to certain conditions. (District 1) (Recommended for approval by Planning and Staff)

2017-128 Catherine Hunkapiller (R-1 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 4057 Mountain Creek Road, more particularly described herein, from R-1 Residential Zone to RZ-1 Zero Lot Line Residential Zone. (Applicant Version)

- c. 2017-129 Northshore Development, LLC (R-1 Residential Zone to E-RD-3 Urban Edge Residential Detached Zone 3 Stories Maximum Height). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone property located at 423 West Bell Avenue, more particularly described herein, from R-1 Residential Zone to E-RD-3 Urban Edge Residential Detached Zone 3 Stories Maximum Height. (District 1) (Recommended for denial by Planning and Staff)
- d. An ordinance to amend the Downtown Context Map within the Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, Article XVI, Downtown Form Based Code, Section 38-693(2), to add 423 West Bell Avenue, more particularly described below, into the Urban Edge Context Area. (District 1)
- e. An ordinance to amend Ordinance No. 13071 to incorporate 423 West Bell Avenue, more particularly described below, into the Downtown Form Based Code Area Boundary. (District 1)

- f. 2017-138 ASA Engineering c/o Allen Jones (R-1 Residential Zone, R-2 Residential Zone, R-5 Residential Zone, and C-2 Convenience Commercial Zone to R-1 Residential Zone and R-T/Z Residential Townhouse Zero Lot Line Zone). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone properties located at 5564 Dayton Boulevard, in the 400 block of Gadd Road, and in the 300 block of Allen Road, more particularly described herein, from R-1 Residential Zone, R-2 Residential Zone, R-5 Residential Zone, and C-2 Convenience Commercial Zone to R-1 Residential Zone and R-T/Z Residential Townhouse Zero Lot Line Zone, subject to certain conditions. **(District 1) (Recommended for approval by Planning)**

2017-138 ASA Engineering c/o Allen Jones (R-1 Residential Zone, R-2 Residential Zone, R-5 Residential Zone, and C-2 Convenience Commercial Zone to R-1 Residential Zone and R-T/Z Residential Townhouse Zero Lot Line Zone). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone properties located at 5564 Dayton Boulevard, in the 400 block of Gadd Road, and in the 300 block of Allen Road, more particularly described herein, from R-1 Residential Zone, R-2 Residential Zone, R-5 Residential Zone, and C-2 Convenience Commercial Zone to R-1 Residential Zone and R-T/Z Residential Townhouse Zero Lot Line Zone, subject to certain conditions. **(Staff Version)**

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- g. 2017-140 James McMahon (R-1 Residential Zone to R-4 Special Zone). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone properties located at 962 and 976 Pineville Road, more particularly described herein, from R-1 Residential Zone to R-4 Special Zone. **(District 1) (Recommended for approval by Planning and recommended for denial by Staff)**
- h. 2017-131 MSBC Black Creek, LLC c/o Randy Stone (R-3 Residential Zone to R-T/Z Residential Townhouse Zero Lot Line Zone). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone part of property located at 3800 block of Cummings Road, more particularly described herein, from R-3 Residential Zone to R-T/Z Residential Townhouse Zero Lot Line Zone. **(District 1) (Recommended for approval by Planning and Staff)**

- i. [2017-087 Zachery Darnell, Attorney at Cavett, Abbott & Weiss \(R-1 Residential Zone to A-1 Urban Agricultural Zone\). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone properties located at 7600, 7604, 7606, 7608, 7610 Davidson Road and the 1000 block of North Sanctuary Road, more particularly described herein, from R-1 Residential Zone to A-1 Urban Agricultural Zone, pending amendments to referenced lots. \(District 4\) \(Recommended for approval by Planning and Staff\) \(Revised\)](#)

[2017-087 Zachery Darnell, Attorney at Cavett, Abbott & Weiss \(R-1 Residential Zone to A-1 Urban Agricultural Zone\). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone properties located at 7600, 7604, 7606, 7608, 7610 Davidson Road and the 1000 block of North Sanctuary Road, more particularly described herein, from R-1 Residential Zone to A-1 Urban Agricultural Zone. \(Applicant Version\)](#)

- j. [2017-130 Tracye Brogdon \(R-1 Residential Zone to R-2 Residential Zone\). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone property located at 6214 Walden Avenue, more particularly described herein, from R-1 Residential Zone to R-2 Residential Zone. \(District 6\) \(Recommended for approval by Planning and Staff\)](#)

- k. [2017-132 Adamson Developers, LLC \(C-2 Convenience Commercial Zone to UGC Urban General Commercial Zone\). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone property located at 2001, 2003, and 2005 McCallie Avenue, more particularly described herein, from C-2 Convenience Commercial Zone to UGC Urban General Commercial Zone, subject to certain conditions. \(District 8\) \(Recommended for approval by Planning and Staff\)](#)

[2017-132 Adamson Developers, LLC \(C-2 Convenience Commercial Zone to UGC Urban General Commercial Zone\). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone property located at 2001, 2003, and 2005 McCallie Avenue, more particularly described herein, from C-2 Convenience Commercial Zone to UGC Urban General Commercial Zone. \(Applicant Version\)](#)

- l. [2017-142 J. Robert McKenzie \(R-3 Residential Zone to R-4 Special Zone\). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone properties located at 515, 521, and 525 O'Neal Street, more particularly described herein, from R-3 Residential Zone to R-4 Special Zone, subject to certain conditions. \(District 8\) \(Recommended for approval by Planning and Staff\)](#)

- 2017-142 J. Robert McKenzie (R-3 Residential Zone to R-4 Special Zone). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone properties located at 515, 521, and 525 O'Neal Street, more particularly described herein, from R-3 Residential Zone to R-4 Special Zone. (Applicant Version)
- m. 2017-133 Rowland Development Group, LLC (Lift Conditions). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to Lift Conditions A and B from Ordinance No. 6007 of previous Case No. 1968-147 from property located at 801 South Greenwood Avenue, more particularly described herein. (District 9) (Recommended for approval by Planning and Staff)
- n. 2017-145 Tennessee Temple University and Highland Park Baptist Church. An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to approve a Zoning Study for Tennessee Temple University and Highland Park Baptist Church Institutional PUDs which are generally bounded by Bailey Avenue, on the East by South Willow Street, and on the West by South Hickory Street, and rezoning from R-4 Special Zone and R-T/Z Residential Townhouse Zero Lot Line Zone to R-4 Special Zone and R-T/Z Residential Townhouse Zero Lot Line Zone, subject to certain conditions. (District 9) (Recommended for approval by Planning and Staff)

VII. **Resolutions:**

ECONOMIC AND COMMUNITY DEVELOPMENT

- a. A resolution authorizing the Mayor to enter into a Professional Services Agreement with the Trust for Public Land, in substantially the form attached, for a term of one (1) year, from July 1, 2017 through June 30, 2018, for an amount not to exceed \$100,000.00 to be paid in four (4) quarterly installments of \$25,000.00 each.
- b. A resolution authorizing the Mayor to execute a Funding Agreement with the Community Foundation of Greater Chattanooga allowing for the use of staff and City personnel from time to time to spend said funds subject to compensation for such staff time.
- c. A resolution of intent recognizing that (i) that the City Council recognizes that the proposed Evergreen Real Estate Project ("Project") will provide necessary improvements to public infrastructure that the City of Chattanooga (the "City") wants to occur within the proposed time for the Project, but the City does not currently plan to effect in the short term under its existing capital improvement plans, and (ii) that the City Council is willing to consider an economic impact plan prepared and submitted to the IDB, with aid from ECD, and reviewed by the TIF Application Review Committee following a public hearing conducted by the IDB in accordance with the City's TIF Policy and Procedures. (Revised)

HUMAN RESOURCES

- d. A resolution authorizing the Director of Human Resources to enter into an agreement with United Healthcare to provide the City of Chattanooga Medicare eligible retirees with two (2) Medicare Advantage health plans at the rates of \$290.42 per member per month and \$354.86 per member per month, with the initial term of the policy being January 1, 2018 through December 31, 2018, with two (2) additional twelve (12) month renewals, and two (2) additional twelve (12) month options remaining.

PLANNING

- e. 2017-139 ASA Engineering c/o Allen Jones (Special Exceptions Permit). A resolution approving a Special Exceptions Permit for a Residential Planned Unit Development for properties located at 5564 Dayton Boulevard and in the 300 block of Allen Road. (District 1) (Recommended for approval by Planning)

2017-139 ASA Engineering c/o Allen Jones (Special Exceptions Permit). A resolution approving a Special Exceptions Permit for a Residential Planned Unit Development for properties located at 5564 Dayton Boulevard and in the 300 block of Allen Road, subject to certain conditions. (Staff Version)

- f. 2017-134 Pratt Land & Development Company (Special Exceptions Permit). A resolution approving a Special Exceptions Permit for a Residential Planned Unit Development for property located in the 6100 block of Hixson Pike. (District 3) (Recommended for approval by Planning and Staff)
- g. 2017-137 Vinod Javer (Special Exceptions Permit). A resolution approving a Special Exceptions Permit for a Residential Planned Unit Development for properties located at 2512 and 2514 Will Kelley Road. (District 4) (Recommended for approval by Planning and Staff)
- h. 2017-144 Tennessee Temple University (Abandonment Special Exceptions Permit). A resolution abandoning a Special Exceptions Permit for an Institutional Planned Unit Development for the Tennessee Temple University and Highland Park Baptist Church Institutional PUDs which are generally bounded on the North by Bailey Avenue, on the East by South Willow Street, and on the West by South Hickory Street. (District 9) (Recommended for approval by Planning and Staff)

PUBLIC WORKS AND TRANSPORTATION

Transportation

- i. [A resolution authorizing the Administrator for the Department of Transportation to enter into a donation agreement with River City Company and accept the donation of all labor, materials, services, taxes, and all other items, now or to be identified in the future, necessary to perform certain road improvements on Walnut Street, from First Street to Aquarium Way, Project No. T-17-004-201, from River City Company, subject to the execution of an agreement between the City and Creative Hardscapes, LLC for said improvements, and authorizing the Administrator for the Department of Transportation to enter into an agreement with Creative Hardscapes, LLC for the improvements to Walnut Street, in substantially the form attached, at no cost to the City. \(District 7\)](#)

- j. [A resolution authorizing the purchase of Whitacre Greer pavers from Liberty Brick, LLC, the sole source for these clay pavers, for the Walnut Street Road Improvement Project No. T-17-004-201, in the amount of \\$100,000.00. \(District 7\)](#)

VIII. Purchases.

IX. Other Business.

X. Committee Reports.

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

XII. Adjournment.

TUESDAY, NOVEMBER 21, 2017
CITY COUNCIL AGENDA
6:00 PM

1. Call to Order.
2. Pledge of Allegiance/Invocation (Councilwoman Berz).
3. Minute Approval.
4. Special Presentation.
5. **Ordinances – Final Reading:**

LEGAL

- a. An ordinance considering the requested deannexation of one (1) tract of property located adjacent to Wauhatchie Pike and Emmaus Road which is referenced as Tax Map Parcel No. 165-008 containing approximately three hundred ninety (390) acres which is currently in the City of Chattanooga. (Revised Alternative Version) (Deferred from 10/31/17)

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- n. [2017-145 Tennessee Temple University and Highland Park Baptist Church. An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to approve a Zoning Study for Tennessee Temple University and Highland Park Baptist Church Institutional PUDs which are generally bounded by Bailey Avenue, on the East by South Willow Street, and on the West by South Hickory Street, and rezoning from R-4 Special Zone and R-T/Z Residential Townhouse Zero Lot Line Zone to R-4 Special Zone and R-T/Z Residential Townhouse Zero Lot Line Zone, subject to certain conditions. \(District 9\) \(Recommended for approval by Planning and Staff\)](#)

6. **Ordinances – First Reading: (None)**

7. **Resolutions:**

ECONOMIC AND COMMUNITY DEVELOPMENT

- a. [A resolution \(i\) to make certain findings relating to the acquisition, construction, and equipping by M&M Industries, Inc. \(“M&M”\) of an expansion of its manufacturing facility at 316 Corporate Place, Chattanooga, Tennessee \(the “Corporate Place Project”\), \(ii\) to make certain findings relating to the acquisition, construction, and equipping by M&M of a manufacturing facility at 1435 E. 14th Street, Chattanooga, Tennessee \(the “14th Street Project”\), and \(iii\) to authorize the Mayor to enter into and execute an Agreement for Payments in Lieu of Ad Valorem Taxes with the Industrial Development Board of the County of Hamilton, Tennessee, M&M, and Hamilton County, Tennessee with respect to the Project.](#)

GENERAL GOVERNMENT

- b. [A resolution authorizing the waiver of fees for the Community Tree Lighting and Children's Music event at Heritage Park hosted by the Friends of East Brainerd on December 1, 2017, in the amount of \\$1,000.00.](#)

HUMAN RESOURCES

- c. [A resolution authorizing the Director of Human Resources to extend an existing agreement with OnSite Rx, Inc. to provide on-site pharmacy services for City employees, retirees, and dependents covered under the City's health plan and for on-the-job injuries at the rate of \\$19.35 per employee, per month \(PEPM\), for the final one \(1\) year renewal in a three \(3\) year contract with two \(2\) one \(1\) year renewal options, in addition to purchasing prescriptions and over-the-counter products through OnSite Rx, Inc., at the cost of approximately \\$8 million per year, and paying applicable sales taxes at the approximate rate of \\$15,000.00 per year.](#)

PUBLIC WORKS AND TRANSPORTATION

Public Works

- d. [A resolution authorizing the City Finance Officer to execute Loan Agreement No. SRF 2018-406, and all necessary documents, with the Tennessee Department of Environment and Conservation Projects required by the Consent Decree for the Interceptor Sewer System \(ISS\), in the amount of \\$17,100,000.00. \(Consent Decree\)](#)
- 8. Purchases.
 - 9. Other Business.
 - 10. Committee Reports.
 - 11. Recognition of Persons Wishing to Address the Council on Non-Agenda Matters.
 - 12. Adjournment.