

Last saved on 01/10/2020 4:07 PM

TUESDAY, JANUARY 14, 2020
CITY COUNCIL AGENDA
6:00 PM

- I. Call to Order by Chairman Oglesby.
- II. Pledge of Allegiance/Invocation (Councilman Smith).
- III. Special Presentation.

Order of Business for City Council

- IV. Minute Approval.
- V. **Ordinances – Final Reading:**

FINANCE

- a. [An ordinance to amend Ordinance No. 13474, known as “the Fiscal Year 2019-2020 Capital Budget Ordinance,” so as to appropriate \\$100,000.00 from the Department of Youth and Family Development Capital Project Early Learning Centers Capital Grants Project, to the United Way of Greater Chattanooga for the Quality Matters Grants Program.](#)

PLANNING

- b. [2019-0146 Wayne Williams \(R-4 Special Zone to UGC Urban General Commercial Zone\). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone part of a property located at 1605 East 12th Street, more particularly described herein, from R-4 Special Zone to UGC Urban General Commercial Zone, subject to certain conditions. \(District 8\) \(Alternate Version #3\)](#)
- c. [2019-0154 Sean S. Daniels \(C-5 Neighborhood Commercial Zone to C-2 Convenience Commercial Zone\). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone part of a property located at 3630 Ridgeway Drive, more particularly described herein, from C-5 Neighborhood Commercial Zone to C-2 Convenience Commercial Zone, subject to certain conditions. \(District 9\) \(Alternate Version\) \(Deferred from 01-07-2020\)](#)

VI. **Ordinances – First Reading:**

PLANNING

- a. 2019-0168 Kristy Summers (R-1 Residential Zone and C-2 Convenience Commercial Zone to A-1 Urban Agricultural Zone and R-3 Residential Zone). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone properties located in the 6200 block of Dayton Boulevard, more particularly described herein, from R-1 Residential Zone and C-2 Convenience Commercial Zone to A-1 Urban Agricultural Zone and R-3 Residential Zone. (District 1) (Recommended for approval by Planning and deferral of 30 days by Staff)
- b. 2019-0175 Ken DeFoor Properties (M-3 Warehouse and Wholesale Zone to R-3 Residential Zone). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone property located at 2767 Northpoint Boulevard, more particularly described herein, from M-3 Warehouse and Wholesale Zone to R-3 Residential Zone. (District 3) (Recommended for approval by Planning and Staff)
- c. 2019-0149 Ideis Architecture (R-2 Residential Zone to O-1 Office Zone). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone property located at 3505 Divine Avenue, more particularly described herein, from R-2 Residential Zone to O-1 Office Zone. (District 7) (Recommended for denial of C-2 Convenience Commercial Zone and approval of O-1 Office Zone by Planning and Staff)

2019-0149 Ideis Architecture (R-2 Residential Zone to O-1 Office Zone). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone property located at 3505 Divine Avenue, more particularly described herein, from R-2 Residential Zone to C-2 Convenience Commercial Zone. (Applicant Version)
- d. 2019-0165 Wayne Williams (Lift Conditions). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to lift conditions from Ordinance No. 12197 of previous Case No. 2008-0161 from part of the property located at 1605 East 12th Street, more particularly described herein. (District 8) (Recommended for approval by Planning and Staff)
- e. 2019-0162 Michael Piekarski (Lift Conditions). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to lift conditions from Ordinance No. 9872 of previous Case No. 1993-0049 from the part of a property located at 2001 North Chamberlain Avenue, more particularly described herein, subject to certain conditions. (District 9) (Staff Version) (Recommended for denial by Planning)

2019-0162 Michael Piekarski (Lift Conditions). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to lift conditions from Ordinance No. 9872 of previous Case No. 1993-0049 from the part of a property located at 2001 North Chamberlain Avenue, more particularly described herein. (Applicant Version)

- f. 2019-0172 David Hudson (R-4 Special Zone to Urban General Commercial Zone). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone property located at 1806 Bailey Avenue, more particularly described herein, from R-4 Special Zone to Urban General Commercial Zone, subject to certain conditions. (District 9) (Recommended for approval by Planning and Staff)

2019-0172 David Hudson (R-4 Special Zone to Urban General Commercial Zone). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone property located at 1806 Bailey Avenue, more particularly described herein, from R-4 Special Zone to Urban General Commercial Zone. (Applicant Version)

- g. An ordinance amending Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, Article V, Zoning Regulations, Division 6, R-2 Residential Zone, Section 38-94, Height and Area Regulations, (4) Minimum building setback to clarify side yard setback requirements for townhouse developments.

VII. **Resolutions:**

ECONOMIC AND COMMUNITY DEVELOPMENT

- a. A resolution authorizing the Mayor to enter into a Lease Agreement, in substantially the form attached, with the Hamilton County, Tennessee, Board of Education for a portion of Tax Parcel No. 126L-C-001, for a term of one (1) year at the consideration of \$2.00 to allow for the demolition and removal of the manufactured unit and other items located on the premises located at 1510 Hamilton Avenue. (District 2)
- b. A resolution authorizing the Mayor to enter into a Premises Use Agreement with Connect Leadership Foundation, in substantially the form attached, for the use of the athletic fields located at 6862 Ty Hi Drive, on a portion of Tax Parcel No. 139I-B-001, for a term of four (4) years. (District 6)
- c. A resolution authorizing the Mayor to enter into a Lease Agreement, in substantially the form attached, with the Hamilton County, Tennessee, Board of Education for the use of a portion of Tax Parcel No. 168I-C-032, for the operation of the Cedar Hill Head Start/Early Head Start Program located at 4701 Divine Street for a term of one (1) year with the option to renew for three (3) additional terms of one (1) year each for the amount of \$1.00 per term. (District 7)

Agenda for Tuesday, January 14, 2020

Page 4

- d. A resolution authorizing the Mayor to enter into a Lease Agreement, in substantially the form attached, with the Hamilton County, Tennessee, Board of Education for the use of Tax Parcel Nos. 136L-M-002, 136L-M-005, and 136L-M-006, for the operation of the Avondale Head Start/Early Head Start Program located at 2302 Ocoee Street for a term of one (1) year with the option to renew for three (3) additional terms of one (1) year each for the amount of \$1.00 per term. (District 9)
- e. A resolution authorizing the Mayor to enter into a Lease Agreement, in substantially the form attached, with the Hamilton County, Tennessee, Board of Education for the use of a portion of Tax Parcel No. 066M-D-014, for the operation of the Daisy Head Start/Early Head Start Program located at 9517 W. Ridge Trail Road in Soddy Daisy, Tennessee, for a term of one (1) year with the option to renew for three (3) additional terms of one (1) year each for the amount of \$1.00 per term.
- f. A resolution authorizing the Administrator for the Department of Economic and Community Development to enter into an Artwork Creation Agreement with the artist, Brandon Donahue, to provide services for a community informed mural on the Brainerd YFD Center, for an amount not to exceed \$30,000.00.

PLANNING

- g. 2019-0180 Kristy Summers (Special Permit). A resolution approving a Special Permit for an A-1 Urban Agricultural Zone on less than five (5) acres for properties located in the 6200 block of Dayton Boulevard. (District 1) (Recommended for approval by Planning and deferral of 30 days by Staff)
- h. 2019-0169 Jay W. Bell (Special Exceptions Permit). A resolution approving a Special Exceptions Permit for a Residential Planned Unit Development for properties located in the 7000 block of Hixson Pike. (District 3) (Recommended for approval by Planning and Staff)
- i. 2019-0170 Delbert-Skidmore, LLC (Special Exceptions Permit). A resolution approving a Special Exceptions Permit for a Residential Planned Unit Development for properties located in the 7000 block of Hixson Pike. (District 3) (Recommended for approval by Planning and Staff)
- j. 2019-0171 Delbert-Skidmore, LLC (Abandonment of a Special Exceptions Permit). A resolution approving the abandonment of a Special Exceptions Permit or a Residential Planned Unit Development approved by Resolution No. 29169 for the properties located in the 7000 block of Hixson Pike and 1701 East Boy Scout Road. (District 3) (Recommended for approval by Planning and Staff)
- k. Gilliland Frederick Wesley, Sr. & Margaret Collins/SaiSanaaShiv G.P. AumJalasai, LLC (Special Exceptions Permit). A resolution approving a Special Exceptions Permit for an existing liquor store, change in ownership, located at 5032 Brainerd Road. (District 6)

PUBLIC WORKS AND TRANSPORTATION

Transportation

- l. [A resolution approving the termination and abandonment of easement reserved for the Electric Power Board, Tennessee-American Water Company, Comcast Cable Communications, Inc. and Chattanooga Gas Company in a portion of two alleys located Southwest from the 1500 block of West 35th Street and Northwest from the 1700 block of Cummings Highway that the City closed and abandoned by Ordinance No. 11218, as rescinded and amended by Ordinance 11242, a copy of which is attached hereto and incorporated herein by reference. \(District 7\)](#)

- m. [A resolution authorizing the Administrator for the Department of Public Works to renew the agreement with Chattanooga Transfer, LLC for the transfer, transportation, and disposal of municipal solid waste and transfer, transportation and disposal of construction and demolition waste for the renewal period of September 27, 2019 to September 26, 2022. \(Deferred from 01-07-2020\)](#)

VIII. Purchases.

IX. Other Business.

- a. **AumJalasai, LLC d/b/a Lamplight Package Store - Certificate of Compliance (District 6)**

- b. [Report on Debt Obligation - SRF Loan No. 2018-406 - \\$17.1 million](#)

- c. [Report on Debt Obligation - SRF Loan No. 2019-429 - \\$21 million](#)

- d. [Report on Debt Obligation - SRF Loan No. CW6 2018-405 - \\$900,000](#)

- e. [Report on Debt Obligation - SRF Loan No. CW7 2019-428 - \\$2.7 million](#)

X. Committee Reports.

XI. Recognition of Persons Wishing to Address the Council.

XII. Adjournment.

TUESDAY, JANUARY 21, 2020
CITY COUNCIL AGENDA
6:00 PM

1. Call to Order by Chairman Oglesby.
2. Pledge of Allegiance/Invocation (Councilman Ledford).
3. Special Presentation.

Order of Business for City Council

4. Minute Approval.
5. **Ordinances - Final Reading:**

PLANNING

- a. 2019-0168 Kristy Summers (R-1 Residential Zone and C-2 Convenience Commercial Zone to A-1 Urban Agricultural Zone and R-3 Residential Zone). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone properties located in the 6200 block of Dayton Boulevard, more particularly described herein, from R-1 Residential Zone and C-2 Convenience Commercial Zone to A-1 Urban Agricultural Zone and R-3 Residential Zone. (District 1) (Recommended for approval by Planning and deferral of 30 days by Staff)
- b. 2019-0175 Ken DeFoor Properties (M-3 Warehouse and Wholesale Zone to R-3 Residential Zone). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone property located at 2767 Northpoint Boulevard, more particularly described herein, from M-3 Warehouse and Wholesale Zone to R-3 Residential Zone. (District 3) (Recommended for approval by Planning and Staff)
- c. 2019-0149 Ideis Architecture (R-2 Residential Zone to O-1 Office Zone). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone property located at 3505 Divine Avenue, more particularly described herein, from R-2 Residential Zone to O-1 Office Zone. (District 7) (Recommended for denial of C-2 Convenience Commercial Zone and approval of O-1 Office Zone by Planning and Staff)

2019-0149 Ideis Architecture (R-2 Residential Zone to O-1 Office Zone). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone property located at 3505 Divine Avenue, more particularly described herein, from R-2 Residential Zone to C-2 Convenience Commercial Zone. (Applicant Version)

- d. [2019-0165 Wayne Williams \(Lift Conditions\). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to lift conditions from Ordinance No. 12197 of previous Case No. 2008-0161 from part of the property located at 1605 East 12th Street, more particularly described herein. \(District 8\) \(Recommended for approval by Planning and Staff\)](#)

- e. [2019-0133 Southern Spear \(M-1 Manufacturing Zone, M-2 Light Industrial Zone, and R-1 Residential Zone to UGC Urban General Commercial Zone\). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone properties located a 901 South Holtzclaw Avenue, 903, 9105, and 1001 South Greenwood Avenue, two unaddressed parcels in the 1300 blocks of Bennett and Anderson Avenue, more particularly described herein, from M-1 Manufacturing Zone, M-2 Light Industrial Zone, and R-1 Residential Zone to UGC Urban General Commercial Zone, subject to certain conditions. \(Alternate Version #2\) \(Deferred from 10/15/2019\) \(Districts 8 & 9\)](#)

- f. [2019-0162 Michael Piekarski \(Lift Conditions\). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to lift conditions from Ordinance No. 9872 of previous Case No. 1993-0049 from the part of a property located at 2001 North Chamberlain Avenue, more particularly described herein, subject to certain conditions. \(District 9\) \(Staff Version\) \(Recommended for denial by Planning\)](#)

[2019-0162 Michael Piekarski \(Lift Conditions\). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to lift conditions from Ordinance No. 9872 of previous Case No. 1993-0049 from the part of a property located at 2001 North Chamberlain Avenue, more particularly described herein. \(Applicant Version\)](#)

- g. [2019-0172 David Hudson \(R-4 Special Zone to Urban General Commercial Zone\). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone property located at 1806 Bailey Avenue, more particularly described herein, from R-4 Special Zone to Urban General Commercial Zone, subject to certain conditions. \(District 9\) \(Recommended for approval by Planning and Staff\)](#)

[2019-0172 David Hudson \(R-4 Special Zone to Urban General Commercial Zone\). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone property located at 1806 Bailey Avenue, more particularly described herein, from R-4 Special Zone to Urban General Commercial Zone. \(Applicant Version\)](#)

- h. [An ordinance amending Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, Article V, Zoning Regulations, Division 6, R-2 Residential Zone, Section 38-94, Height and Area Regulations, \(4\) Minimum building setback to clarify side yard setback requirements for townhouse developments.](#)

6. **Ordinances – First Reading:**

FINANCE

- a. [An ordinance to amend Chattanooga City Code, Part II, Chapter 2, Section 2-409, Section 2-410\(e\)\(3\) and Section 2-418, relative to the Fire and Police Pension Fund.](#)

POLICE

- b. [An ordinance to amend Chattanooga City Code, Part II, Chapter 5, Article III, Division 2, Section 5-71, relative to temporary beer permits; Section 5-75, relative to distance requirements; and Section 5-87, relative to Station Street, and to add Chattanooga City Code, Part II, Chapter 5, Article III, Division 2, Section 5-89, relative to training. \(Deferred from 01-07-2020\)](#)

7. **Resolutions:**

ECONOMIC AND COMMUNITY DEVELOPMENT

- a. [2020-01 Mint House Tennessee, LLC/Heritage Land & Development \(STVR\). A resolution approving Short Term Vacation Rental Application No. 19-STVR-00128 for property located at 721 Broad Street, Unit #1204. \(District 7\)](#)
- b. [2020-02 Mint House Tennessee, LLC/Heritage Land & Development \(STVR\). A resolution approving Short Term Vacation Rental Application No. 19-STVR-00129 for property located at 721 Broad Street, Unit #212. \(District 7\)](#)
- c. [2020-03 Megan Stevens/James Stevens \(STVR\). A resolution approving Short Term Vacation Rental Application No. 19-STVR-00168 for property located at 3201 E. 36th Street. \(District 7\)](#)

PUBLIC WORKS

- d. [A resolution authorizing the Administrator for the Department of Public Works to award Contract No. R-18-004-201 to P&C Construction, Inc. of Chattanooga, TN, The Scramble Interactive Streetscape on 1st Street, in the amount of \\$833,106.55, plus a contingency amount of \\$83,500.00, for a total project cost in the amount of \\$916,606.55. \(District 7\)](#)

8. Purchases.

9. Other Business.

10. Committee Reports.

Agenda for Tuesday, January 14, 2020

Page 9

11. Recognition of Persons Wishing to Address the Council.
12. Adjournment.