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TUESDAY, NOVEMBER 14, 2023
CITY COUNCIL AGENDA
3:30 PM

- I. Call to Order by Chair Dotley.
- II. Pledge of Allegiance/Invocation (Vice-Chair Hill).
- III. Special Presentations.

Proclamation - World Pancreatic Cancer Day
By Councilwoman Demetrus Coonrod

- 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: (Library-Quarterly Report)
(Parks and Public Works Committee)
(HR Committee)

RECESS

Order of Business for City Council

- VII. **Ordinances – Final Reading:**

PUBLIC WORKS

- a. [MR-2023-0115 Tyler Callihan-Rhonda Cunningham \(Abandonment\). An ordinance closing and abandoning an unopened right-of-way in the 600 block of Nye Circle, as detailed on the attached map, subject to certain conditions. \(District 1\) \(Recommended for approval by Planning Commission and Public Works\)](#)

VIII. **Ordinances – First Reading:**

LEGAL

- a. [An ordinance amending Chattanooga City Code, Part II, Chapter 2, Section 2-566\(b\), Disposal of Surplus Real Property.](#)

PLANNING

- b. [2023-0116 David Fidalti c/o Wise Construction \(R-1 Residential Zone to R-3 Residential Zone\). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone properties located at 1133 and 1137 Old Pineville Road, from R-1 Residential Zone to R-3 Residential Zone. \(District 1\) \(Applicant Version\) \(Recommended for denial by Planning Commission and recommended for approval by Staff\) \(Deferred from 09-12-2023 and 10-10-2023\)](#)

- c. [2023-0171 ASA Engineering \(R-1 Residential Zone to R-4 Special Zone\). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone part of a property located at 6010 Dayton Boulevard, from R-1 Residential Zone to R-4 Special Zone, subject to certain conditions. \(District 1\) \(Recommended for approval by Planning Commission and denial by Staff\)](#)

[2023-0171 ASA Engineering \(R-1 Residential Zone to R-4 Special Zone\). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone part of a property located at 6010 Dayton Boulevard, from R-1 Residential Zone to R-4 Special Zone. \(Applicant Version\)](#)

- d. [2023-0147 Mark Kesser \(R-1 Residential Zone to C-2 Convenience Commercial Zone\). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone properties located at 506 and 508 Ashland Terrace, from R-1 Residential Zone to C-2 Convenience Commercial Zone, subject to certain conditions. \(District 2\) \(Recommended for approval by Planning Commission and Staff\)](#)

[2023-0147 Mark Kesser \(R-1 Residential Zone to C-2 Convenience Commercial Zone\). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone properties located at 506 and 508 Ashland Terrace, from R-1 Residential Zone to C-2 Convenience Commercial Zone. \(Applicant Version\)](#)

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- e. [2023-0174 RV Market LLC c/o Matt Phillips \(D-CX-12 to D-CX-20\). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone property located at 1001 Market Street, from D-CX-12 to D-CX-20. \(District 7\) \(Recommended for approval by Planning Commission and Staff\)](#)
- f. [2023-0162 F. Turney Thompson \(C-2 Convenience Commercial Zone to UGC Urban General Commercial Zone\). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone unaddressed property located in the 2600 block of East Main Street, from C-2 Convenience Commercial Zone to UGC Urban General Commercial Zone, subject to certain conditions. \(District 9\) \(Recommended for approval by Planning Commission and Staff\)](#)

[2023-0162 F. Turney Thompson \(C-2 Convenience Commercial Zone to UGC Urban General Commercial Zone\). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone unaddressed property located in the 2600 block of East Main Street, from C-2 Convenience Commercial Zone to UGC Urban General Commercial Zone. \(Applicant Version\)](#)

- g. [2023-0169 Netia and Dion Dave \(R-2 Residential Zone to R-T/Z Residential Townhouse/Zero Lot Line Zone\). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone property located at 2425 12th Avenue, from R-2 Residential Zone to R-T/Z Residential Townhouse/Zero Lot Line Zone. \(District 9\) \(Recommended for approval by Planning Commission\)](#)

[2023-0169 Netia and Dion Dave \(R-2 Residential Zone to R-T/Z Residential Townhouse/Zero Lot Line Zone\). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone property located at 2425 12th Avenue, from R-2 Residential Zone to R-T/Z Residential Townhouse/Zero Lot Line Zone, subject to certain conditions. \(Staff Version\)](#)

- h. [An ordinance amending Chattanooga City Code, Part II, Article II, Definitions, Article XVI, Downtown Form Based Code, Division 1, Introductory Provisions to add a new Form Based Code Context Area and associated Form Based Code zones; Section 38-692, Legal Requirements; Section 38-693, Context Areas; Section 38-694, Zones; amend Division 3, Rules of All Zones, Section 38-697, Lot Types; Section 38-698, Measurements and Exceptions; and add new context areas Division 16, Chestnut Street and associated zones.](#)
- i. [2023-0157 Perimeter Properties \(M-1 Manufacturing Zone and UGC Urban General Commercial Zone to C-CX-9, C-CIV, C-CX-12, and C-PK \(New Zone\). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone properties located at 2800 Broad Street and an unaddressed property located in the 2800 block of Broad Street, 2450, 2500, 2501, and 2701 Chestnut Street, two unaddressed properties in the 17800 blocks of I-24, 1506 Middle Street, 2655 and 2673 Sidney Street, two unaddressed properties in the 3000 and 3100](#)

blocks of Saint Elmo Avenue, and 500 West 26th Street, from M-1 Manufacturing Zone and UGC Urban General Commercial Zone to C-CX-9, C-CIV, C-CX-12, and C-PK (New Zone), subject to certain conditions. (District 7) (Recommended for approval by Planning Commission) (Planning Version #2)

2023-0157 Perimeter Properties (M-1 Manufacturing Zone and UGC Urban General Commercial Zone to C-CX-12 and C-PK (New Zone). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone properties located at 2800 Broad Street and an unaddressed property located in the 2800 block of Broad Street, 2450, 2500, 2501, and 2701 Chestnut Street, two unaddressed properties in the 17800 blocks of I-24, 1506 Middle Street, 2655 and 2673 Sidney Street, two unaddressed properties in the 3000 and 3100 blocks of Saint Elmo Avenue, and 500 West 26th Street, from M-1 Manufacturing Zone and UGC Urban General Commercial Zone to C-CX-12 and C-PK (New Zone), subject to certain conditions. (Staff Version #1)

2023-0157 Perimeter Properties (M-1 Manufacturing Zone and UGC Urban General Commercial Zone to C-CX-12 and C-PK (New Zone). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone properties located at 2800 Broad Street and an unaddressed property located in the 2800 block of Broad Street, 2450, 2500, 2501, and 2701 Chestnut Street, two unaddressed properties in the 17800 blocks of I-24, 1506 Middle Street, 2655 and 2673 Sidney Street, two unaddressed properties in the 3000 and 3100 blocks of Saint Elmo Avenue, and 500 West 26th Street, from M-1 Manufacturing Zone and UGC Urban General Commercial Zone to C-CX-12 and C-PK (New Zone), subject to certain conditions. (Staff Version #2)

IX. **Resolutions.**

ECONOMIC DEVELOPMENT

- a. A resolution authorizing the Mayor or his designee to enter into a Contract for Sale and Purchase with Marathon Realty Corp., in substantially the form attached, for the purchase of approximately 1.94 acres of Tax Map No. 129H-J-001 at 4536 Highway 58 for the purpose of Regional Stormwater Improvements and Flood Mitigation and to execute all documents required to complete the transaction at the purchase price of \$380,000.00, with closing expenses not to exceed \$5,000.00, for a total transaction amount not to exceed \$385,000.00. (District 5)
- b. A resolution authorizing the Mayor or his designee to enter into a Second Amendment to Donation Agreement with the A.I.M. Center, Inc., in substantially the form attached, to confirm the satisfaction of the financing requirement and to extend the completion date of the project to December 31, 2026. (District 8)

PARKS & OUTDOORS

- c. A resolution requesting permission for deaccession of Luminous Light Mast located on the Pier at Ross's Landing based on the Arts, Culture, and Creative Economy/Public Art Commission staff, City Risk Management, and City Engineer's recommendations of removal with the determination based on the review of the original design criteria and the design load is less than would be expected for design to current standards, with a projected cost for current standards projected around \$200,000.00 plus, where removal is recommended.

PLANNING

- d. 2023-0175 Stone Creek Consulting LLC c/o Allen Jones (Special Exceptions Permit). A resolution approving a Special Exceptions Permit for a Residential Planned Unit Development for part of an unaddressed property in the 6600 block of Middle Valley Road, subject to certain conditions. **(District 3) (Recommended for approval by Planning Commission and Staff) (Planning Version #2)**

PUBLIC WORKS

- e. A resolution authorizing the Mayor to submit such Brownfield Voluntary Agreement applications to the Tennessee Department of Environment and Conservation (TDEC), in substantially the form attached, and if approved, to enter into such Brownfield Voluntary Agreements and Notice of Land Use Restrictions for certain portions of the former Volunteer Army Ammunition Plant in Chattanooga, Tennessee, and authorizing the Mayor to sign any TDEC applications, TDEC agreements, and TDEC required Land Use Restrictions necessary to implement this resolution. **(District 6)**
- f. A resolution authorizing the Administrator for the Department of Public Works to renew the continuing professional services On-Call Blanket Contract for Architectural Services, Contract No. E-22-026-101, with the following seven consultant firms: (1) Allen & Hoshall, Inc.; (2) Artech Design Group, Inc.; (3) Derthick, Henley & Wilkerson Architects, PLLC; (4) Franklin Associates Architects, Inc.; (5) Hefferlin Kronenberg Architects, PLLC; (6) MBI Companies Inc.; and (7) Rardin Carroll Architects, Inc., for year two (2) of a four (4) year term, for use by all departments, for an annual amount of \$2.3 million.
- g. A resolution authorizing the Administrator for the Department of Public Works to renew the continuing professional services On-Call Blanket Contract for Structural Engineering Services, Contract No. E-22-027-101, with the following six consultant firms: (1) Alfred Benesch & Company; (2) Allen & Hoshall, Inc.; (3) CTI Engineers, Inc.; (4) Neel Schaffer, Inc.; (5) Stantec Consulting Services, Inc.; and (6) Volkert, Inc., for year two (2) of a four (4) year term, for use by all departments, for an annual amount of \$2.5 million.

- h. [A resolution authorizing the Administrator for the Department of Public Works to renew the continuing professional services On-Call Blanket Contract for Mechanical, Electric, Plumbing \(MEP\) Engineering Services, Contract No. E-22-028-101, with the following two consultant firms: \(1\) Allen & Hoshall, Inc.; and \(2\) March Adams & Associates, for year two \(2\) of a four \(4\) year term, for use by all departments, for an annual amount of \\$1 million.](#)

WASTEWATER

- i. [A resolution authorizing the Administrator for the Department of Wastewater to renew the On-Call Blanket Contract No. W-22-006-201, Sanitary Sewer Install and Repair Blanket Contract for Wastewater, for year two \(2\) of four \(4\) with Talley Construction Company of Rossville, GA, for use by all departments, for the annual amount of \\$4.5 million.](#)
 - j. [A resolution to amend Resolution No. 27155 to authorize the Mayor, City Attorney, and/or their designee to amend the Consent Decree entered into with the United States Environmental Protection Agency \(EPA\) and the State of Tennessee, to extend certain deadlines in the Consent Decree and perform additional sewer projects, along with other minor modifications as per the attached amended agreement for First Material Consent Decree Modification. \(Added with permission of Chair Dotley\)](#)
- X. Purchases.
 - XI. Committee Reports.
 - XII. Other Business. (Item Listed Below):
 - [Finance - Report on Debt Obligation CT0253 Form – SRF Loan 2023-478.](#)
 - XIII. Recognition of Persons Wishing to Address the Council.
 - XIII. Adjournment.

