

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING CUSTOM CANVAS AWNINGS, LLC C/O W. ERIC SCHWIETER FOR HELEN GRZYBOWSKI TO USE TEMPORARILY THE 500 BLOCK OF BROAD STREET FOR THE INSTALLATION OF AN OUTDOOR SEATING AREA AND AWNING AT A COMMERCIAL ESTABLISHMENT, AS SHOWN ON THE MAP AND DRAWING ATTACHED HERETO AND MADE A PART HEREOF BY REFERENCE, SUBJECT TO CERTAIN CONDITIONS.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CHATTANOOGA, TENNESSEE, That CUSTOM CANVAS AWNINGS, LLC C/O W. ERIC SCHWIETER FOR HELEN GRZYBOWSKI, (hereinafter referred to as “Temporary Users”) be and is hereby permitted to use temporarily the right-of-way located in the 500 block of Broad Street for the installation of an outdoor seating area and awning at a commercial establishment, as shown on the map and drawing attached hereto and made a part hereof by reference.

BE IT FURTHER RESOLVED, That said temporary usage shall be subject to the following conditions:

1. Temporary Users shall execute the Indemnification Agreement attached hereto in favor of the City of Chattanooga, its officers, agents and employees for any and all claims for damages for injuries to persons or property related to or arising out of the temporary usage.
2. Temporary Users agree to vacate the property and temporary use upon reasonable notice from the City to do so.
3. Temporary Users shall provide adequate access for maintenance of any utilities located within the easement.
4. The awning from its base to the top of the existing surface/sidewalk is to meet the minimum elevation requirements per City Codes and Standards.

5. Any items (tables, chairs, railing) placed along the subject building and right-of-way must comply with ADA Standards and minimum clearances for pedestrian traffic within said right-of-way.

6. The seating area cannot impede motorists' views at the intersection of 5th Street and Broad Street.

ADOPTED: _____, 2013

/mms

INDEMNIFICATION AGREEMENT

This Indemnification Agreement is entered into by and between THE CITY OF CHATTANOOGA, TENNESSEE (hereinafter the “City”), and CUSTOM CANVAS AWNINGS, LLC C/O W. ERIC SCHWIETER FOR HELEN GRZYBOWSKI (hereinafter “Temporary Users”), this ____ day of _____, 2013.

For and in consideration of the granting of the temporary usage of the right-of-way located in the 500 block of Broad Street for the installation of an outdoor seating area and awning at a commercial establishment, as shown on the map and drawing attached hereto and made a part hereof by reference, the receipt of which is hereby acknowledged, Temporary Users agree as follows:

1. Temporary Users shall defend, and hold harmless the City of Chattanooga, Tennessee, its officers, agents and employees from any and all claims for damages for injuries to persons or property related to or arising out of the aforementioned temporary use.

2. Temporary Users shall vacate the property and temporary use upon reasonable notice from the City to do so; the parties hereto agree that “reasonable notice” shall be deemed to be thirty (30) days. Temporary Users shall restore the property to its original condition when it is returned to the City.

3. Temporary Users shall provide adequate access for maintenance of any utilities located within the easement.

4. The awning from its base to the top of the existing surface/sidewalk is to meet the minimum elevation requirements per City Codes and Standards.

5. Any items (tables, chairs, railing) placed along the subject building and right-of-way must comply with ADA Standards and minimum clearances for pedestrian traffic within said right-of-way.

6. The seating area cannot impede motorists’ views at the intersection of 5th Street and Broad Street.

CUSTOM CANVAS AWNINGS, LLC

_____, 2013
Date

BY: _____
W. Eric Schwieter

_____, 2013
Date

BY: _____
Helen Grzybowski

CITY OF CHATTANOOGA, TENNESSEE

_____, 2013
Date

BY: _____
Andy Berke, Mayor

City of Chattanooga



Resolution Request Form

(This form is only required for resolutions requiring expenditure of City funds)

Date: July 8, 2013

Preparer: William C. Payne

Department: Public Works - Engineering

Brief Description of Purpose for Resolution:

Resolution Number (if approved by Council): _____ District 7

A City Council Action is requested to approve the request for Temporary Usage No. 112776 for W. Eric Schwieter c/o Custom Canvas Awnings, LLC for Helene Grzybowski for the 500 block of Broad Street to installation of outdoor seating area and awning at a commercial establishment, as shown on the attached drawing.

Name of Vendor/Contractor/Grant, etc.	N/A	New Contract/Project? (Yes or No)	N/A
Total project cost \$	N/A	Funds Budgeted? (YES or NO)	N/A
Total City of Chattanooga Portion \$	N/A	Provide Fund	N/A
City Amount Funded \$	N/A	Provide Cost Center	N/A
New City Funding Required \$	N/A	Proposed Funding Source if not budgeted	N/A
City's Match Percentage %	N/A	Grant Period (if applicable)	N/A

List all other funding sources and amount for each contributor.

Amount(s)	Grantor(s)

Agency Grant Number _____

CFDA Number if known _____

Other comments: (Include contingency amount, contractor, and other information useful in preparing resolution)

Approved by: _____

Reviewed by: FINANCE OFFICE

DESIGNATED OFFICIAL/ADMINISTRATOR

Please submit completed form to @budget, City Attorney and City Finance Officer

Memorandum

To: Bill Payne
From: Ed Bowen
cc: Dennis Malone
Date: July 8, 2013
Re: Temporary Usage Request #112776
W. Eric Schwieter c/o Custom Canvas Awnings, LLC, for Helene Grzybowski
500 Broad Street
Recommendations Regarding Temporary Usage Request

I have completed my review of Mr. Schwieter's request regarding the Temporary Usage of the right of way at 500 Broad Street for the installation of an outdoor seating area and an awning at a commercial establishment along a portion of said right-of-way. Please refer to the attached map and drawings. My comments are as follows:

- The proposed awning is approximately 3 feet in height by 4 feet in width.
- The requested portion of sidewalk / right of way is 8 feet \pm in width by 30 feet \pm in length.
- The existing portion of sidewalk / right of way in front of the applicants business is 21feet \pm in width by 30 feet \pm in length.
- Based on the submitted design drawing and field measurements the tables and chairs will not encroach on minimum ADA Clearances.
- Two tables and up to 6 chairs will be used within the requested right of way and will be taken inside at the end of each work day.

After review, granting a portion of this Temporary Usage does not conflict with the Public's interest. Therefore, I recommend that the request for ***Temporary Usage be granted with the following conditions:***

- ***The awning from its base to the top of the existing surface / sidewalk is to meet the minimum elevation requirements per City Codes and Standards.***
- ***Any items (tables, chairs, railing) placed along the subject building and right of way must comply with ADA Standards and minimum clearances for pedestrian traffic within said right of way.***
- ***The seating area can not impede motorist's views at the intersection of 5th Street and Broad Street.***



5TH

7006

500

503

TEMPUSE

86 Hog LLC
Temp Use-tables and chairs on sidewalk and an awning

100298

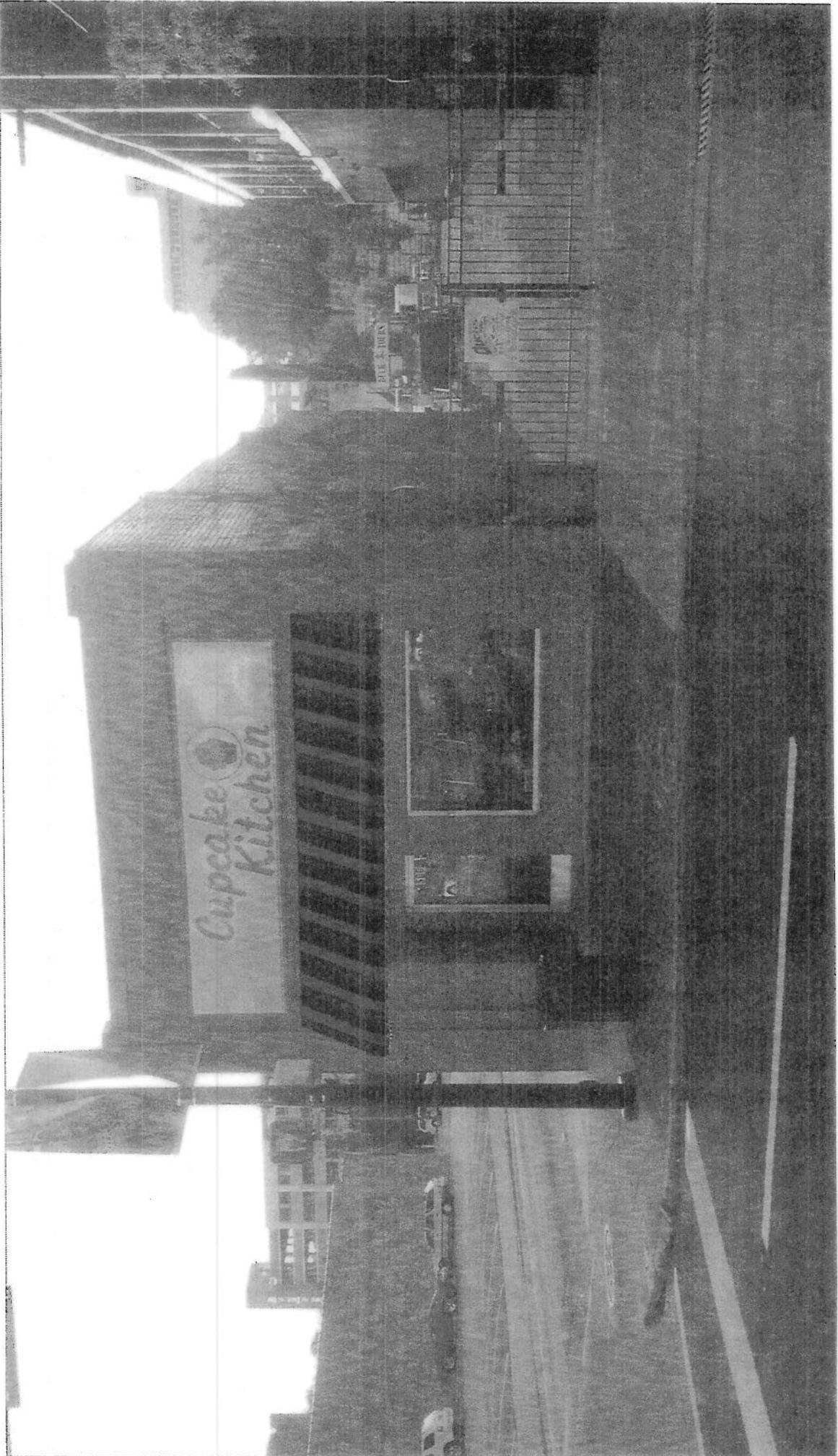
52450 BROAD

7248

437

507

511



Cupcake
Kitchen

1015 S. BIRN



Hamilton County Assessor of Property

Online Property Inquiry

Bill Bennett - Assessor of Property

6135 Heritage Park Drive
Chattanooga, TN 37416

Phone: (423) 209-7300 Fax: (423) 209-7301

Hours: Mon - Fri 8:00am-4:00pm except designated holidays

Hamilton County Tennessee

A great place to work and live.



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Property Information

[Back](#)

Owner Name:

86 HOG LLC

[Property Image](#)

Property Address: 500 BROAD ST

Parcel Values

Property Value	Land Value	Building Value	Assessment Value
\$148,200	\$66,200	\$82,000	\$59,280

Map:
135MD

Group:
B

Parcel:
001

District:
1-CITY

Property Type:
8-COMMERCIAL

Land Use Code:
600-SERVICES

Lot Size: 21.25X200

Calc Acres: 0.0964

Subdivision:

Legal Description:

LT PT 33 ORIGINAL TOWN MARKET ST N/R 0072 22 01

Mailing Address:

710 JOHNNIE DODDS BLVD STE #110
MT PLEASANT, SC 29464

Sales Information

5 results.

DATE	CONSIDERATION	BOOK	PAGE
2/24/1999		5305	0988
1/13/1999	\$103,500.00	5277	0844
1/13/1999		5277	0841
6/4/1982		2826	0760
1/1/1965		1646	0692

Residential Building List

0 results.

Commercial Building List

1 results.

SEQUENCE	PURPOSE	TOTAL AREA	YEAR BUILT	APPRAISAL
2	RESTAURANT	1,287	1910	82,000

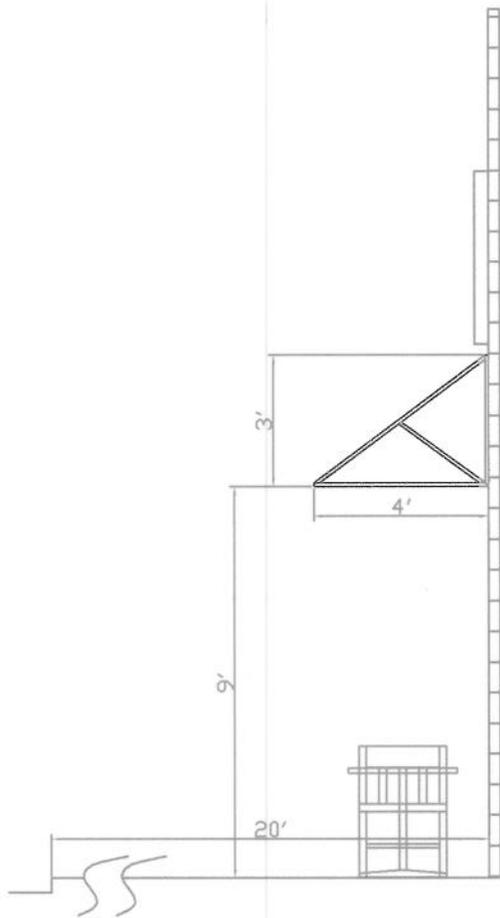
Miscellaneous Improvements List

0 results.

Google

To see all the details that are visible on the screen, use the "Print" link next to the map.





2 FABRIC AWNING & SEATING AREA SECTION VIEW

DRAWINGS MUST BE RETURNED PRIOR TO RELEASE OF AWNING FOR
 TO RESIST LATERAL LOADS WHICH SHOULD BE IMPOSED BY WIND LOADS
 TING OR NEOPRENE GASKET MATERIAL TO PREVENT GALVANIC ACTION.
 SURE THAT IT WILL RESIST IMPOSED LOADS.
 CHANCE OF SNOW DRIFT AND/OR SLIDING SNOW LOADS ON THE AWNING,
 REQUOTE AND REDESIGN.

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Custom Design Awnings
 1001 SOUTH SEMINOLE
 CHATTANOOGA, TENNESSEE 37412
 (423) 629-5105 FAX: (423) 629-6457
 WWW.CUSTOMAWNINGSUSA.COM

CUPCAKE KITCHEN	500 BROAD STREET, CHATTANOOGA, TN 37402	CHATTANOOGA, TENNESSEE	CUPCAKE KITCHEN - HELENE GRZYBOWSKI 500 BROAD ST. CHATTANOOGA, TN 37420 (423) 544-5618
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PROJECT NUMBER:	54013
SCALE:	NONE
REFERENCE FILE:	CPA_CUPCAKE_AWNING_040413
DATE DRAWN:	04-APRIL-2013
DRAWN BY:	SCHMEIER
COPYRIGHT © 2013 CUSTOM CANVAS AWNINGS, LLC.	
DESCRIPTION/TITLE:	FABRIC AWNINGS - DETAILS
DRAWING NUMBER:	AWNING-101

16181

CUSTOM DESIGN AWNINGS
1001 S. SEMINOLE DR., P.O. BOX 9183
CHATTANOOGA, TN 37412
423-629-5105

FSGBANK
ACH RT
061308582
87-858-642

One - hundred ten and 10/100

DATE 5-1-13

AMOUNT
\$ 110.00

PAY TO THE ORDER OF
City of Chattanooga

[Handwritten Signature]
AUTHORIZED SIGNATURE

⑈016181⑈ ⑈061208589⑈ 042 192 5⑈



CITY OF CHATTANOOGA

DATE 5/1/13

RECEIPT NO. 193643

Received from *Custom Design Awnings*

Amount of *Five Hundred Ten & 10/100* Dollars and *10* Cents

For *Year Usage Permit - 500 Broad Street*

Cash \$ _____

Check \$ *110.00* # *16181*

[Handwritten Signature]
Department/Division
[Handwritten Signature]
Signature