

2014-102
Wadsworth Old Chicago, Inc.
Northgate Mall - Hixson Mall, LLC

RESOLUTION NO. _____

A RESOLUTION APPROVING A SPECIAL EXCEPTIONS PERMIT FOR USE OF A LATE NIGHT ENTERTAINMENT CENTER LOCATED AT 250 NORTHGATE MALL DRIVE, MORE PARTICULARLY DESCRIBED IN THE ATTACHED DOCUMENTS.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CHATTANOOGA, TENNESSEE, That there be and is hereby granted a Special Exceptions Permit for use of a late night entertainment center located at 250 Northgate Mall Drive, as more particularly described in the attached documents.

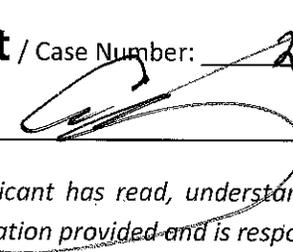
ADOPTED: _____, 2014.

/mem

SPECIAL PERMIT APPLICATION FORM

| | | | |
|---|--|---|--|
| CASE NUMBER: | 2014-102 | Date Submitted: | 08-13-2014 |
| (Sections 1-6 below to be filled out by Applicant- RPA staff will assist, if needed) | | | |
| 1 Applicant Request | | | |
| Special Permit | Type: SEP for a Late Night Entertainment Center | | |
| 2 Property Information | | | |
| Property Address: | 250 Northgate Mall Drive Chattanooga, TN 37343 | | |
| Property Tax Map Number(s): | 110H- E-004 | | |
| 3 Proposed Development | | | |
| Reason for Request and/or Proposed Use: | Request permission to serve beer after 11:00 p.m. Old Chicago is a full service restaurant and we serve food until closing, but in keeping with the other Old Chicago's nationwide, we request a 2:00 a.m. closing | | |
| 4 Site Characteristics | | | |
| Current Zoning: | C-2 | | |
| Current Use: | Vacant building | | |
| Adjacent Uses: | Mall retail. This location is adjacent to Northgate Mall. | | |
| 5 Applicant Information | | | |
| All communication will be with the Applicant. If the applicant is not the property owner, the RPA requires a letter from the property owner(s) confirming that the applicant has permission to file this application on his/her behalf. | | | |
| Name: Wadsworth Old Chicago, Inc. | | Address: 8001 Arista Place 5 th Floor | |
| Check one: | <input checked="" type="checkbox"/> I am the property owner | <input type="checkbox"/> I am not the property owner | |
| City: Broomfield | State: CO | Zip Code: 80021 | Email: cmowry@cwrestaurants.com |
| Phone 1: 303-664-4113 | Phone 2: 303-669-2558 | Phone 3: | Fax: 303-942-7414 |
| 6 Property Owner Information (if not applicant) | | | |
| Name: Hixson Mall, LLC | | Phone: 423-855-0001 | |
| Address: CBL Center, 2030 Hamilton Place Boulevard, Chattanooga, TN 37421 | | | |
| Office Use Only: | | | |
| Planning District: 5 | | Neighborhood: Hixson Neighborhood | |
| Hamilton Co. Comm. District: 3 | Chatt. Council District: 3 | Other Municipality: | |
| Staff Rec: | PC Action/Date: | Legislative Action/Date/Ordinance: | |
| Checklist | | | |
| <input checked="" type="checkbox"/> Application Complete | <input checked="" type="checkbox"/> Ownership Verification | <input checked="" type="checkbox"/> Map of Proposed Zoning Area with dimensions | |
| <input checked="" type="checkbox"/> Site Plan, if required | Total Acres to be considered: | <input checked="" type="checkbox"/> Deeds | <input checked="" type="checkbox"/> Plats, if applicable |
| Deed Book(s): 9489-317 | | | |
| Plat Book/Page: N/A | | <input checked="" type="checkbox"/> Notice Signs | Number of Notice Signs: 1 |
| <input checked="" type="checkbox"/> Filing Fee: \$250.00 | Cash | <input checked="" type="checkbox"/> Check | Check Number: 1038797 |
| Planning Commission meeting date: City Council 9-02-2014 | | Application processed by: Marcia Parker | |

Signature Sheet / Case Number: 2014-102 Date: July 30, 2014

Applicant Signature:  - C. Nowak

Signature verifies that applicant has read, understands all of the information on the application for the above case number, agrees with information provided and is responsible for installing and maintaining notice sign(s).

RPA ZONING APPLICATION POLICY

INSTALLATION OF REZONING SIGNS

No rezoning signs should be displayed on the property until after the 5-business day period following the 10th of the month.

REQUESTS TO DEFER

After filing an application with the RPA, an applicant may request (in writing) to defer the case within 5 business days following the zoning application deadline. The zoning application deadline is the 10th of the month; if the 10th of the month is on a Saturday or Sunday, the application deadline is the immediate preceding Friday.

If the applicant requests deferral after the 5 business day period following the zoning application deadline, the staff can not remove the zoning case from the Planning Commission agenda. If the applicant then desires to have the case deferred, they must make the request at the scheduled Planning Commission meeting. Action to allow deferral of the zoning application will be determined by the Planning Commission.

REQUESTS TO WITHDRAW

After filing an application with the RPA, an applicant may request (in writing) that their case be withdrawn at any time before the Planning Commission meeting. Such a request will be honored and the zoning case will be removed from the Planning Commission agenda. A request to withdraw a case may also be made at the Planning Commission meeting.



July 31, 2014

Mr. Bryan Shults
Principal Planner/Development Services
Chattanooga-Hamilton County Regional Planning Agency
1250 Market Street Suite 2000, DRC
Chattanooga, TN 37402

CHARLES B. LEBOVITZ
Chairman of the Board
STEPHEN D. LEBOVITZ
President and
Chief Executive Officer
BEN S. LANDRESS
Executive Vice President
MOSES LEBOVITZ
(1905-1991)

**RE: SEP APPLICATION FOR WADSWORTH OLD CHICAGO, INC. dba OLD CHICAGO
250 NORTHGATE MALL, CHATTANOOGA, TN 37415**

Dear Mr. Shults,

As the owner of Northgate Mall, Hixson Mall, LLC hereby authorizes Wadsworth Old Chicago, Inc. dba Old Chicago to apply for a Special Exception Permit (SEP) with the Regional Planning Agency and the City of Chattanooga. As property owner, we hereby request approval of the SEP.

It is our understanding, in accordance with the Chattanooga City Code, this Permit will allow the applicant to remain open and serve alcohol past 11:00 p.m. This business is a full-service restaurant, but we understand that in accordance with the current Code, an SEP is necessary to allow Old Chicago to remain open until its standard closing hour, which is 2:00 a.m.

Should you have any questions, please contact Christine Greeson at (423) 490-8560.

Sincerely,

HIXSON MALL, LLC,
a Tennessee limited liability company

By: CBL & Associates Management, Inc.,
Its managing agent

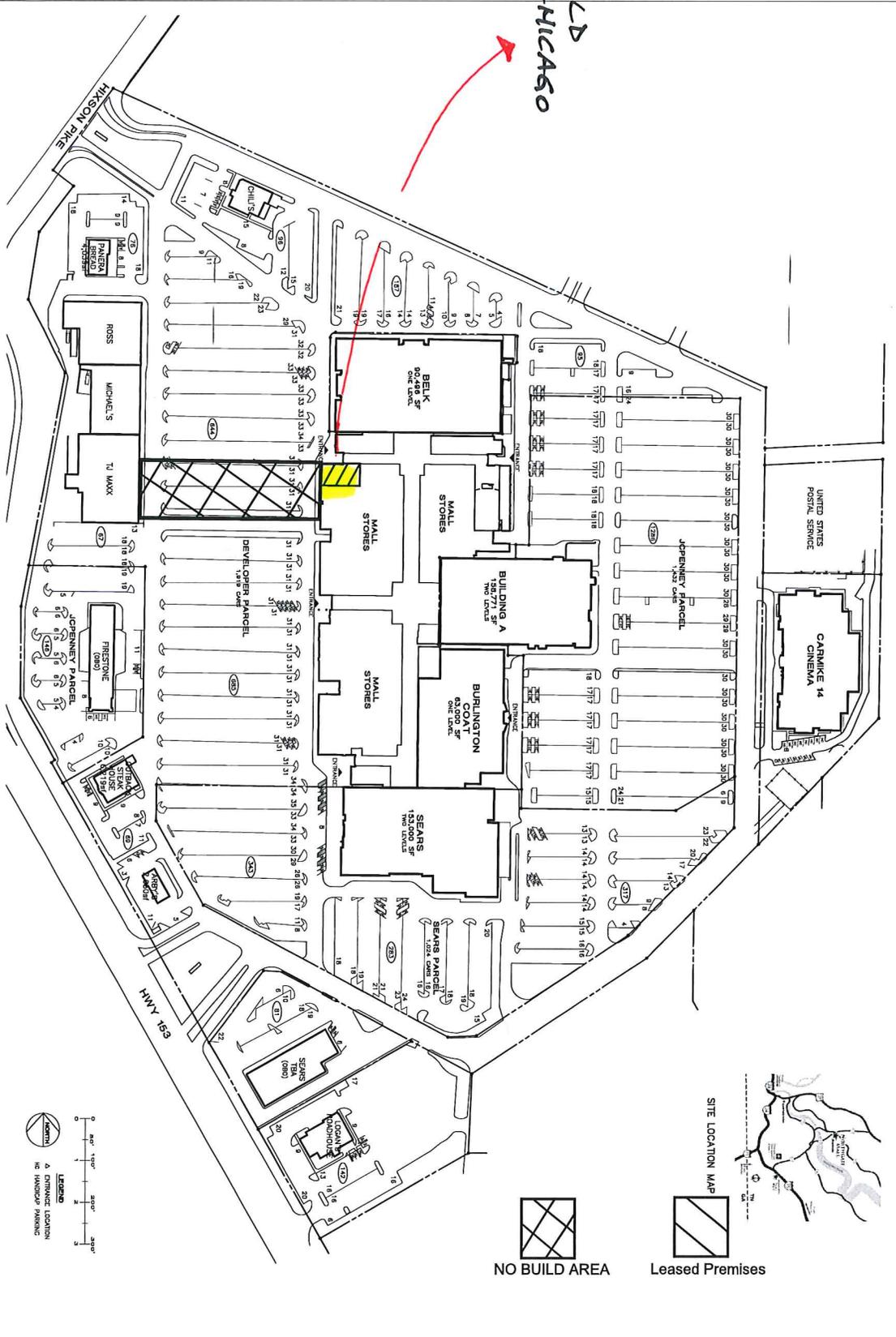
Jeffery V. Curry
Chief Legal Officer



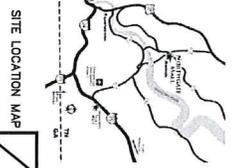
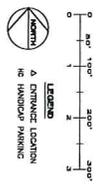
cc: Wadsworth Old Chicago, Inc., Attention: Courtney Mowry
8001 Arista Place, 5th Fl., Broomfield, CO 80027

CHD-644171-2

OLD CHICAGO



THIS PLAN SHALL NOT BE CONSIDERED AS A WARRANTY, REPRESENTATION OR AGREEMENT ON THE PART OF THE ARCHITECT. THE ARCHITECT SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES. THE ARCHITECT SHALL NOT BE RESPONSIBLE FOR THE ACCURACY OF THE INFORMATION PROVIDED BY THE CLIENT. THE ARCHITECT SHALL NOT BE RESPONSIBLE FOR THE ACCURACY OF THE INFORMATION PROVIDED BY THE CLIENT. THE ARCHITECT SHALL NOT BE RESPONSIBLE FOR THE ACCURACY OF THE INFORMATION PROVIDED BY THE CLIENT.



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|--|---------------------------------|---|--|
| SP 1 NORTHGATE MALL 271 NORTHGATE MALL, HIXSON, TN 37445 Phone: (423) 875-4351 | SITE PLAN EXHIBIT A-1 | CBL CBL & ASSOCIATES PROPERTIES, INC. <small>CBL is an Equal Opportunity Employer. Minorities and Women are encouraged to apply. For more information, please contact: (423) 875-4351 or cbl@cbllp.com</small> | REVISIONS NO. DATE BY |
| | | | 1. 10/21/2011 2. 11/21/2011 3. 12/21/2011 4. 01/21/2012 |

Northgate Exterior

Option 1 / Front View



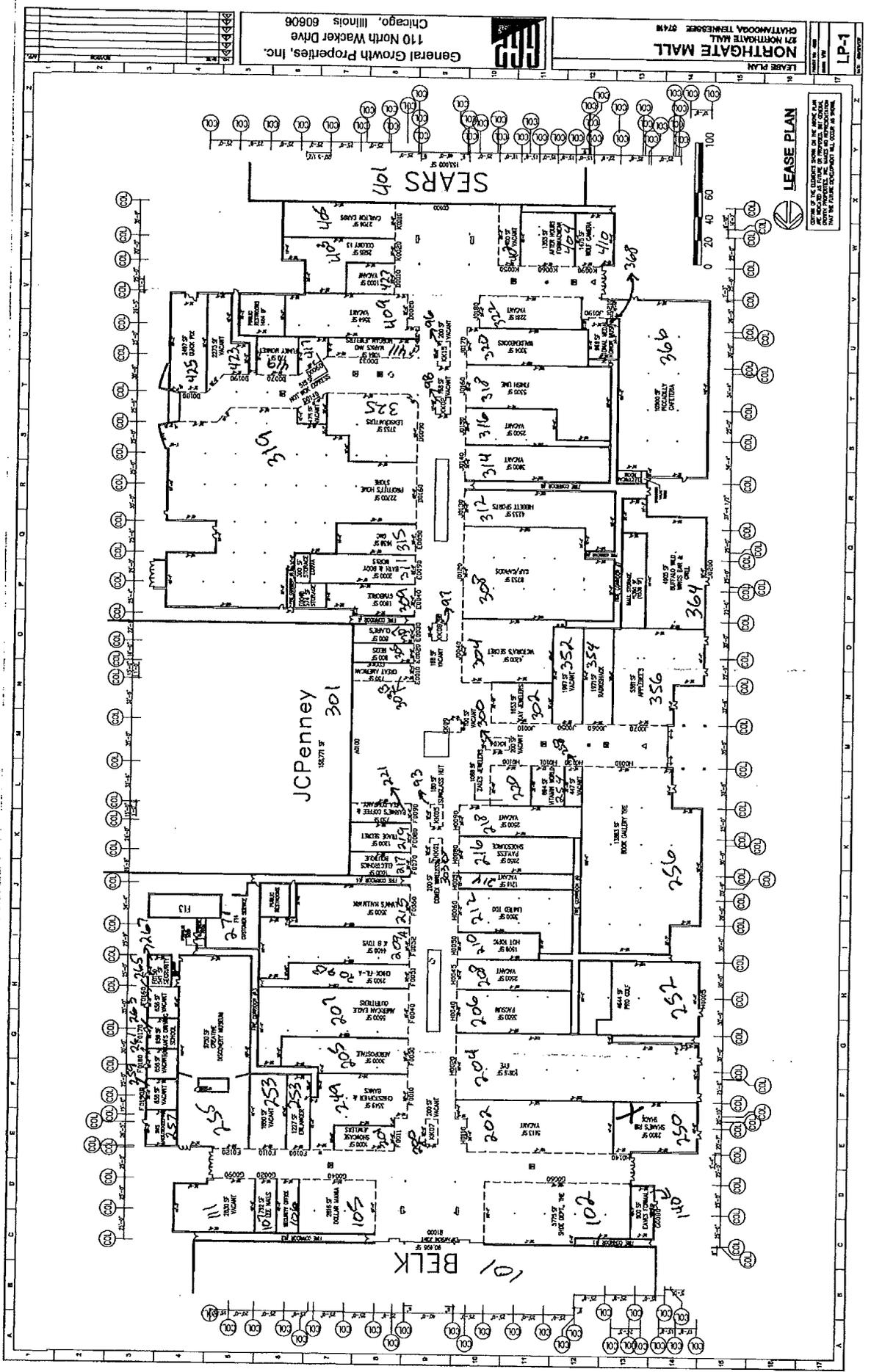
1 WEST ELEVATION
1/4" = 1'-0"

General Growth Properties, Inc.
110 North Wacker Drive
Chicago, Illinois 60606

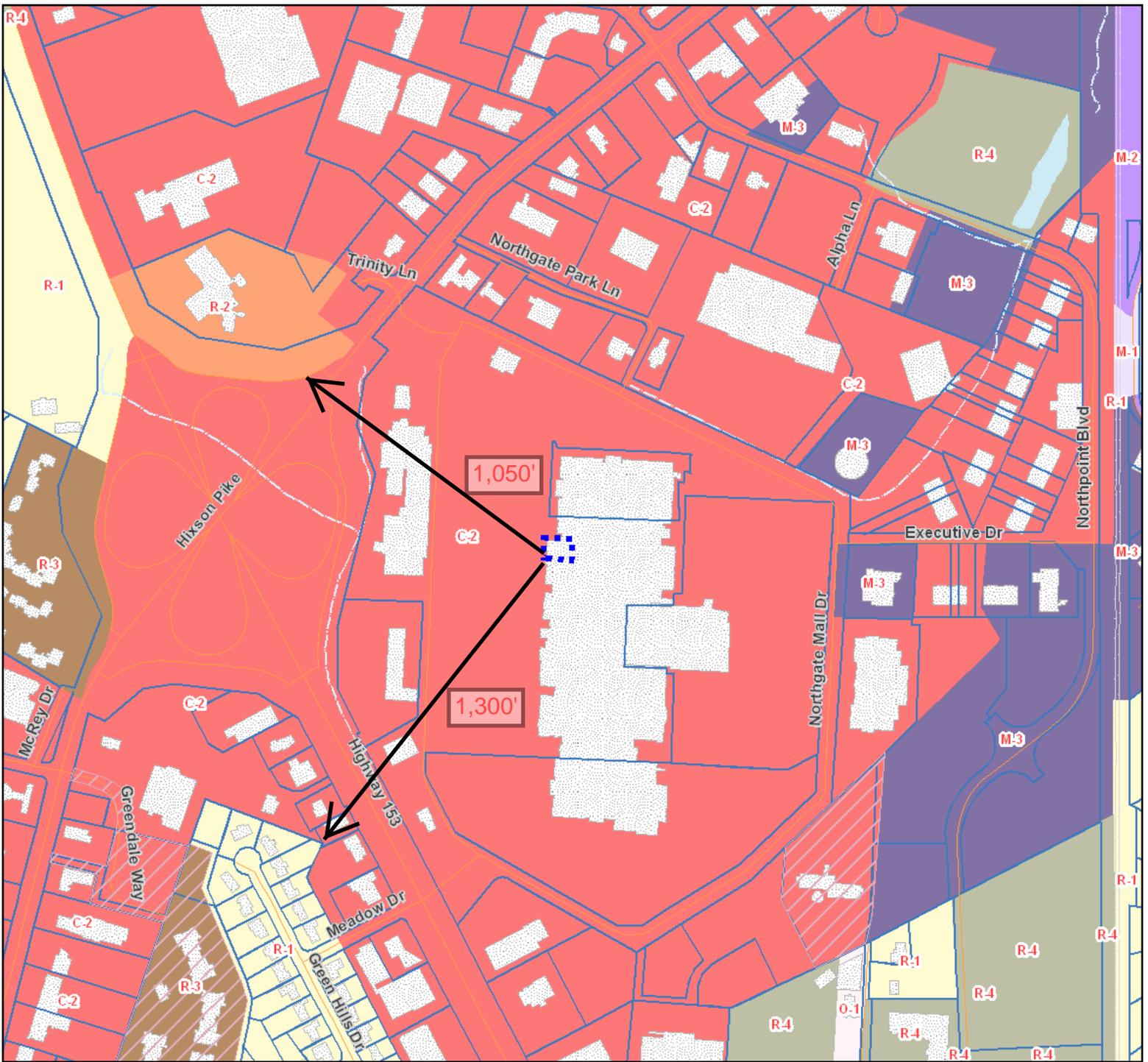


LEASE PLAN

OWNER OF THE EASEMENTS SHOWN ON THIS ASKED PLAN
HEREBY WAIVES THE RIGHT OF FIRST REFUSAL
AND THE RIGHT TO LEASE THE PREMISES EQUIPMENT ALL COVERED BY THIS PLAN



A B C D E F G H I J K L M N O P Q R S T U V W X Y Z
1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32 33 34



2014-102 Special Exceptions Permit for a Late Night Entertainment Center

500 ft

Chattanooga Hamilton County Regional Planning Agency