

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION AUTHORIZING CHATTANOOGA COFFEE COMPANY C/O EILEEN MASON, AGENT FOR THE PROPERTY OWNER, CHATTANOOGA AREA REGIONAL TRANSPORTATION AUTHORITY (CARTA), TO USE TEMPORARILY THE SIDEWALK RIGHT-OF-WAY IN FRONT OF THE BUILDING LOCATED AT 225 BROAD STREET TO INSTALL OUTDOOR SEATING ASSOCIATED WITH CHATTZ (CHATTANOOGA COFFEE COMPANY), AS SHOWN ON THE MAPS ATTACHED HERETO AND MADE A PART HEREOF BY REFERENCE, SUBJECT TO CERTAIN CONDITIONS.

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BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CHATTANOOGA, TENNESSEE, That CHATTANOOGA COFFEE COMPANY C/O EILEEN MASON, agent for the property owner, CHATTANOOGA AREA REGIONAL TRANSPORTATION AUTHORITY (CARTA) (hereinafter referred to as "Temporary User"), be and is hereby permitted to use temporarily the sidewalk right-of-way in front of the building located at 225 Broad Street to install outdoor seating associated with Chantz (Chattanooga Coffee Company), as shown on the maps 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 User may execute the Indemnification Agreement prior to the granting of a temporary use by the City Council provided that any obligation to Indemnify and hold the City of Chattanooga, its officers, agents and employees harmless for any claims for damages for injuries to persons or property shall be void if the Temporary Use is not granted to applicant by the Chattanooga City Council. Temporary User agrees to comply with all terms and conditions of the Indemnification Agreement in the event a temporary use is granted by the City Council.

2. Temporary User agrees to vacate the property and temporary use upon reasonable notice from the City to do so.

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

4. Any items (tables, chairs) 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.

5. Temporary User shall provide adequate access for maintenance of any utilities located within the easement, is responsible for verifying all utility locations within the subject area prior to initiating the agreed usage, as well as the protection of said utilities for the duration of this permit.

6. To avoid possible conflicts with future bike lane construction and pedestrian clearances, the Temporary User shall coordinate closely with CDOT for any adjustments to the size or location of the temporary usage that are not specifically reflected on the site plan.

ADOPTED: \_\_\_\_\_, 2015

/mem



# Memorandum

To: Brandon Sutton <sup>BS</sup>  
From: Kari Lawman  
cc: Bert Kuyrkendall  
Date: April 2, 2015  
Re: Temporary Usage Request # 146562  
Eileen Mason (Chattanooga Coffee Co.)  
225 Broad Street (District 7)

## RECOMMENDATION: APPROVAL WITH CONDITIONS

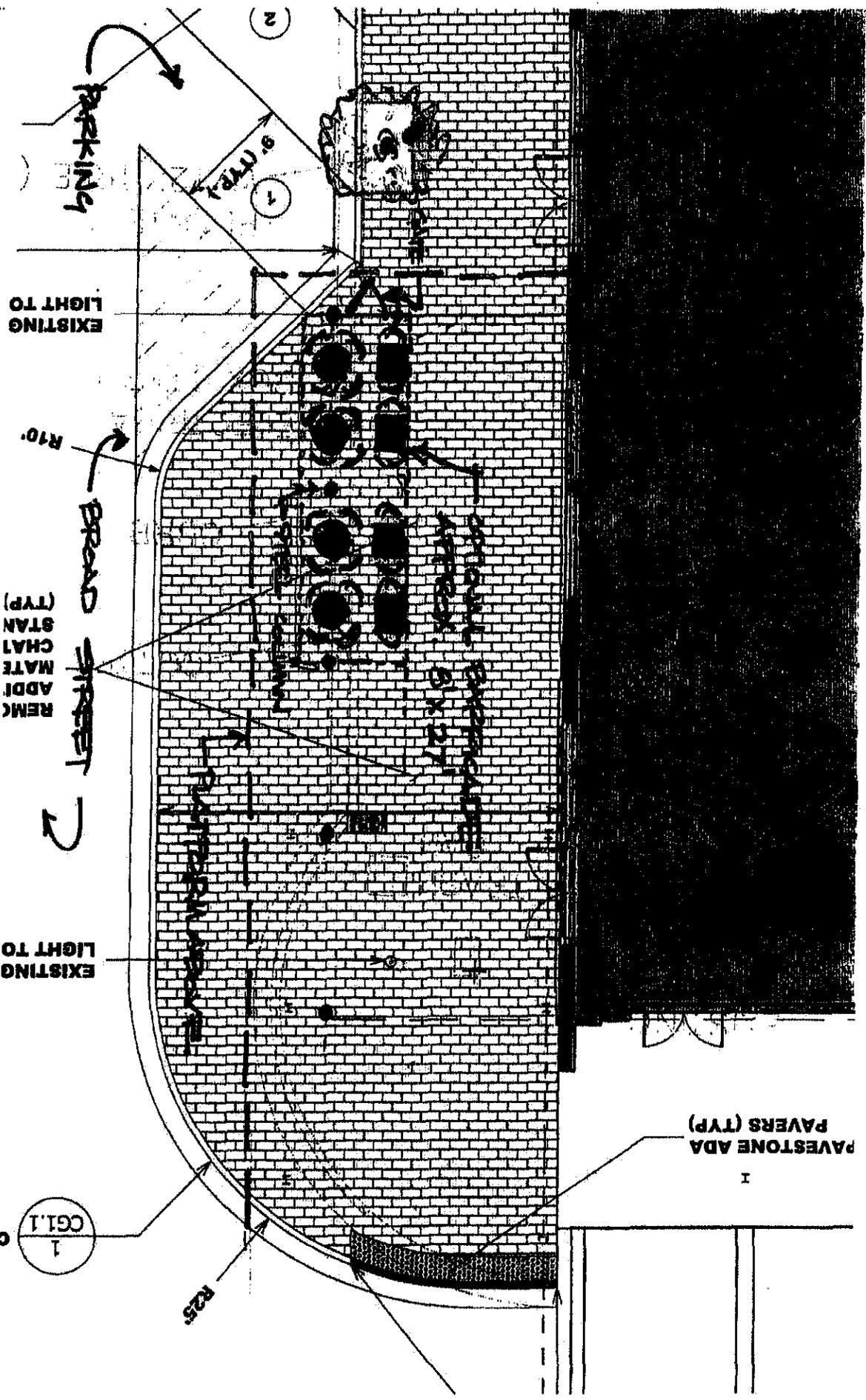
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This application was received on March 21, 2015, from Eileen Mason of Chattanooga Coffee Company, agent for the property owner, CARTA. The application is requesting the usage of sidewalk right-of-way in the front of the building located at 225 Broad St. The application states that there is a planned addition to offer outdoor seating associated with Chattz (Chattanooga Coffee Co.). The proposed addition measures 8'x27', aligning with the edge of the tree well and leaving adequate distance for the Broad Street protected bike lane, as well as pedestrian travel along the building face.

After review, granting 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:***

- Any items (tables, chairs) 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.
- Temporary User shall provide adequate access for maintenance of any utilities located within the easement, is responsible for verifying all utility locations within the subject area prior to initiating the agreed usage, as well as the protection of said utilities for the duration of this permit.
- To avoid possible conflicts with future bike lane construction and pedestrian clearances, the applicant shall coordinate closely with CDOT for any adjustments to the size or location of the temporary usage that are not specifically reflected on the site plan.





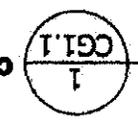
EXISTING LIGHT TO

REMO  
ADDI  
MATE  
CHAT  
STAN  
(TYP)

EXISTING LIGHT TO

PAVESTONE ADA  
PAVERS (TYP)

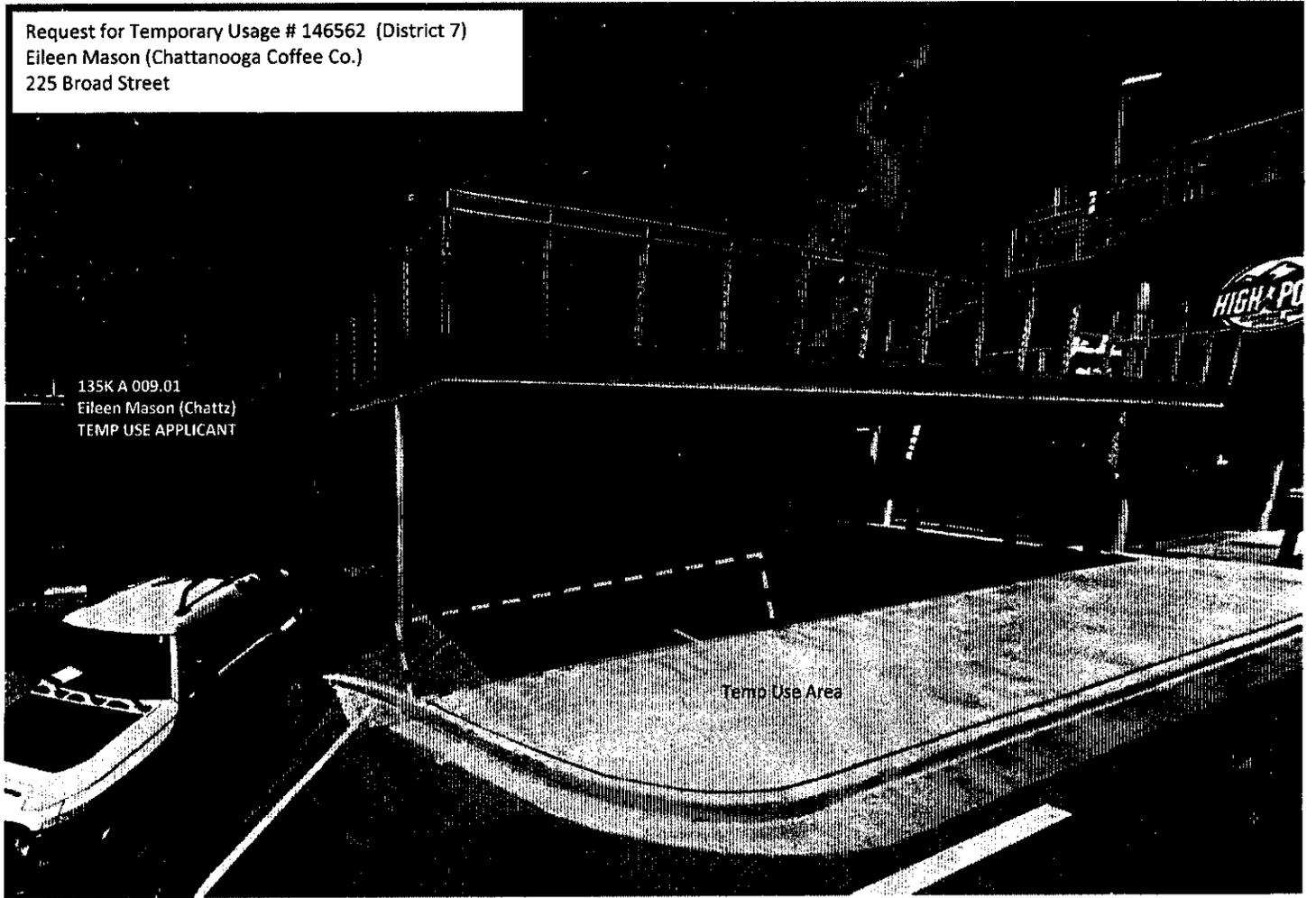
CHESTNUT PATIO PLAN  
 SCALE: 1" = 10'



Request for Temporary Usage # 146562 (District 7)  
Eileen Mason (Chattanooga Coffee Co.)  
225 Broad Street

135K A 009.01  
Eileen Mason (Chattz)  
TEMP USE APPLICANT

Temp Use Area



Request for Temporary Usage # 146562 (District 7)  
Eileen Mason (Chattanooga Coffee Co.)  
225 Broad Street

