

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING CHATTANOOGA COFFEE COMPANY C/O EILEEN MASON, WITH CONSENT FROM THE CHATTANOOGA AREA REGIONAL TRANSPORTATION AUTHORITY (CARTA), OWNER OF THE SUBJECT PROPERTY, 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.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CHATTANOOGA, TENNESSEE, That CHATTANOOGA COFFEE COMPANY C/O EILEEN MASON with consent from the CHATTANOOGA AREA REGIONAL TRANSPORTATION AUTHORITY (CARTA), owner of the subject property (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

City of Chattanooga



Resolution Request Form

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

Date Prepared: April 02, 2015

Preparer: Bert Kuyrkendall

Department: Transportation

Brief Description of Purpose for Resolution:

Resolution Number (if approved by Council):

District 7

A City Council Action is requested to authorize Temporary Usage Request #146562 for Eileen Mason of Chattanooga Coffee Company with consent from Chattanooga Area Regional Transportation Authority (CARTA), owner of the subject property, for the temporary usage of 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).

APPROVED WITH CONDITIONS

Total project cost \$ N/A
Total City of Chattanooga Portion \$ N/A
City Amount Funded \$ N/A
New City Funding Required \$ N/A
City's Match Percentage % N/A

New Contract/Project? (Yes or No) N/A
Provide Fund N/A
Provide Cost Center N/A
Proposed Funding Source N/A
Grant Period (if applicable) N/A

List all other funding sources and amount for each contributor.

	Grantor(s)

Agency Grant Number _____

CFDA Number if known _____

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

Approved by: _____

DESIGNATED OFFICIAL/ADMINISTRATOR

Reviewed by: FINANCE OFFICE

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

Memorandum

To: Brandon Sutton
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

This application was received on March 21, 2015, from Eileen Mason of Chattanooga Coffee Company with consent from CARTA, owner of the subject property. 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 Chantz (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.



3-18-2015

(DATE)

Bertran Kuyrkendall, P.E.
Transportation Engineer
Development Resource Center
1250 Market Street, Suite 3000
Chattanooga, Tennessee 37402

Re: Request for Temporary Usage

Dear Mr. Kuyrkendall:

This is a request for a temporary usage of extended sidewalk pavement at 225 Broad Street

The reason for this request is as follows: outdoor seating associated with retail coffeehouse service

In making this request: Temporary User agrees as follows:

1. Temporary User will defend, indemnify, 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 user agrees to comply with any and all conditions recommended by the City Transportation Engineer and/or City Transportation Department and approved by the Chattanooga City Council during the review of this application. The failure to comply with any condition approved by the City Council may be grounds for revocation of this temporary use at any time after its approval
3. Temporary User will vacate the property and temporary use upon reasonable notice from the City to do so; the parties have to agree that reasonable notice shall be deemed to be thirty (30) days to restore the property to substantially the same condition that existed prior to granting the temporary use, including complying with any environmental regulations upon the request of the city to vacate the property and temporary use.
4. Temporary User will provide full access for maintenance of any utilities located within the easement.
5. Temporary User will obtain any and all other permits, variances, or approvals necessary to accommodate the temporary use.
6. Temporary user agrees to maintain the property in the condition equal to or better than the condition at the time the temporary use is granted.
7. If this request is for maintaining wells the applicant will upon satisfactory completion of use as determined by the Tennessee Department of Environment and Conservation, the wells will be abandoned using standard and acceptable practices, which shall include grouting from the bottom to top with a mixture of Portland cement and powdered bentonite and restoring the surface to its original condition as reasonably as possible.

My address and phone number is as follows:

Eileen Mason - Chattanooga Coffee Company (CHATTZ)
1010 Market Street, Suite 204
Chattanooga, TN 37402 423-503-2359 (email address) info@chattanoogacoffee.com

Eileen L Mason
(Print) Applicant Name

Eileen Mason
(Sign) Applicant Name

3-18-2015
Date

Brent D. Matthews (CARTA)
(Print) Owner's Name

B. Matthews
(Sign) Owner's Name

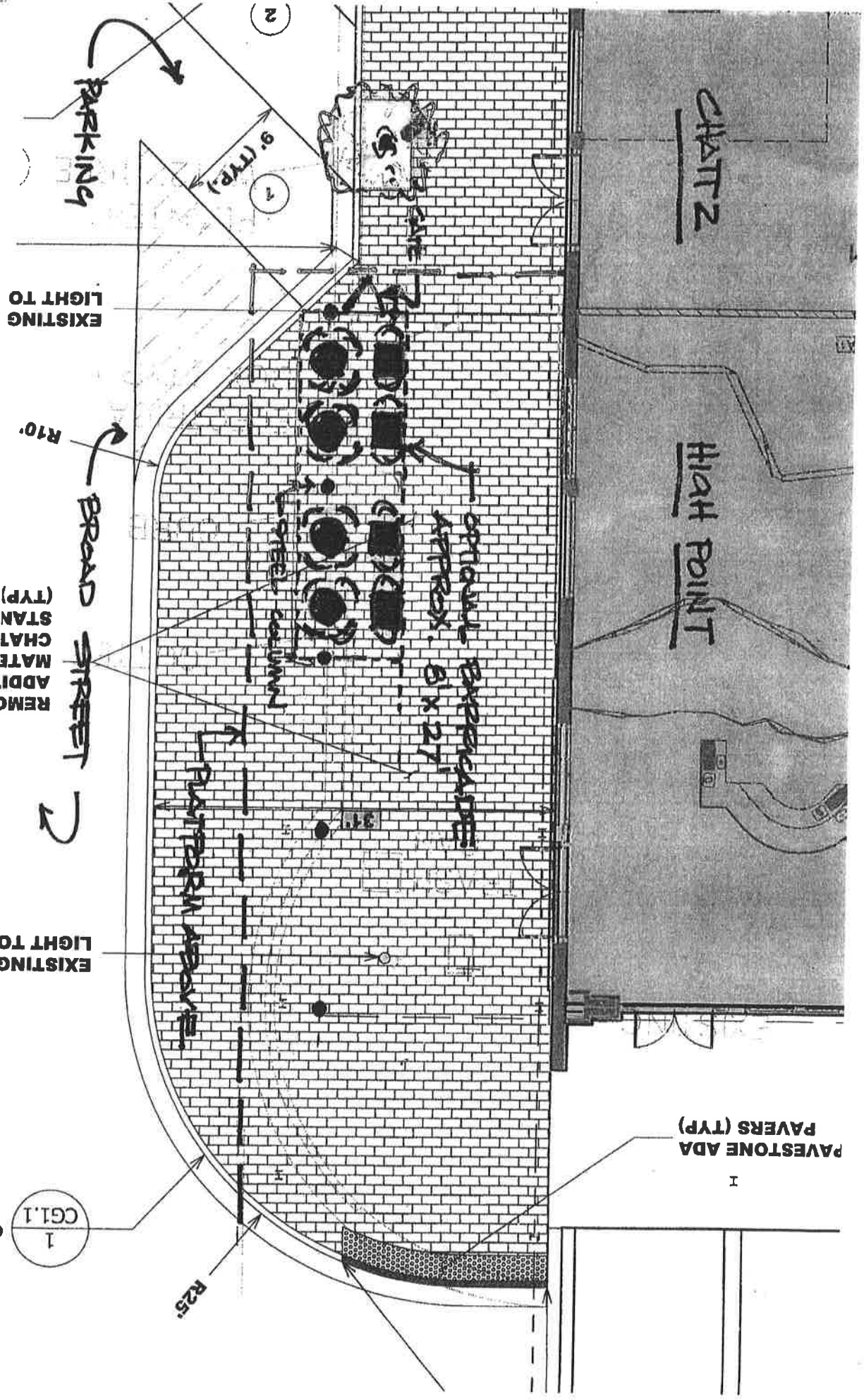
3/25/15
Date

This application must include the owner's signature and a site map of the referenced location to complete processing.

(Processing Fee of \$110.00 payable to: City of Chattanooga)

For Office Use Only

Technician Signature



CHATZ2

HIGH POINT

PARKING

EXISTING LIGHT TO

REMOVAL CHATZ2 MATE ADDITIONAL STAN (TYP)

BROAD STREET

EXISTING LIGHT TO

OPTIMUM TERRACE APPROX. 6' x 27''

STEEL COLUMN

PAVEMENT ABOVE

PAVESTONE ADA PAVERS (TYP)

I

CG1.1

1

2

2

2

R25

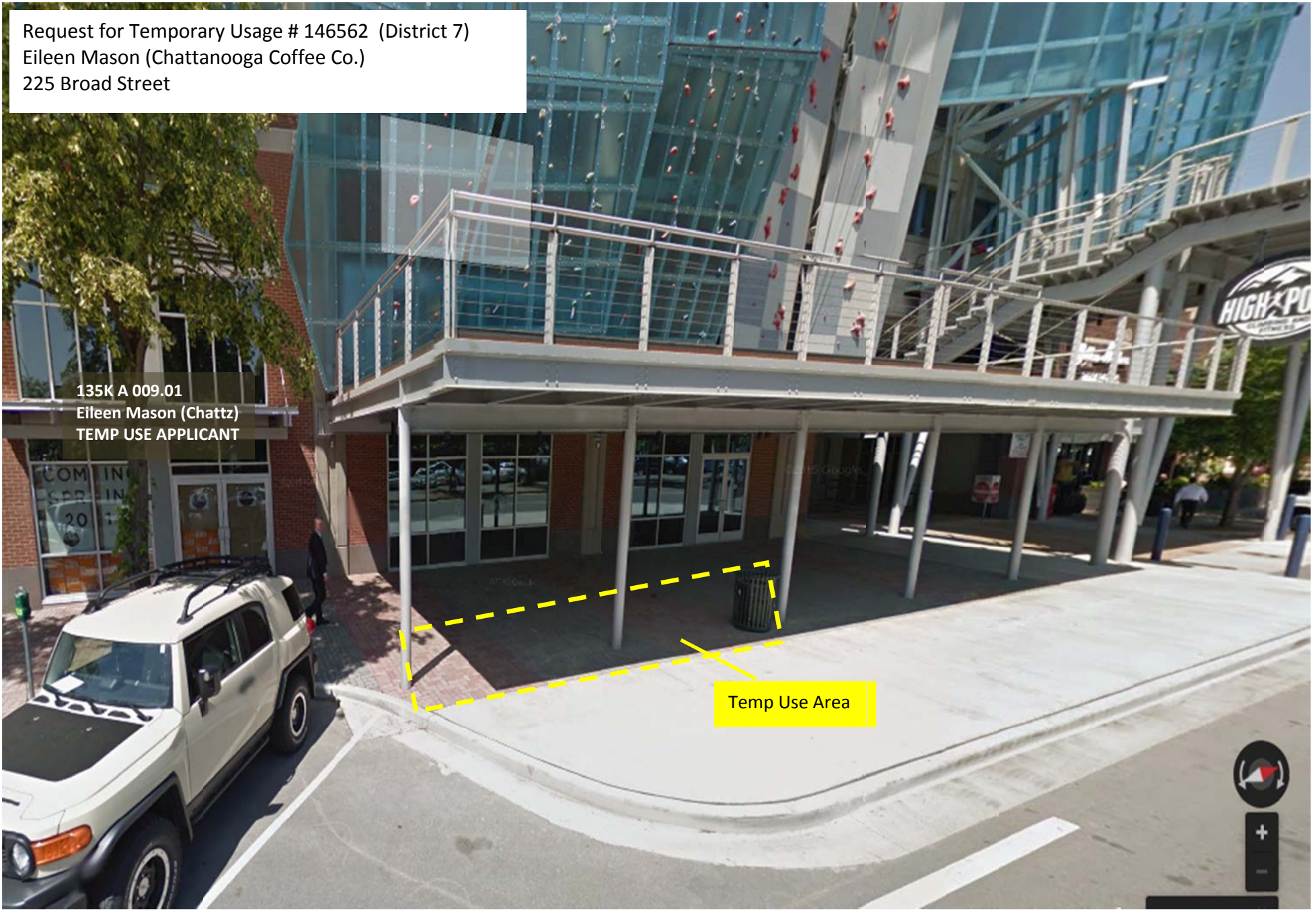
R10

CHATZ2 PATIO PLAN
SCALE: 1" = 10'

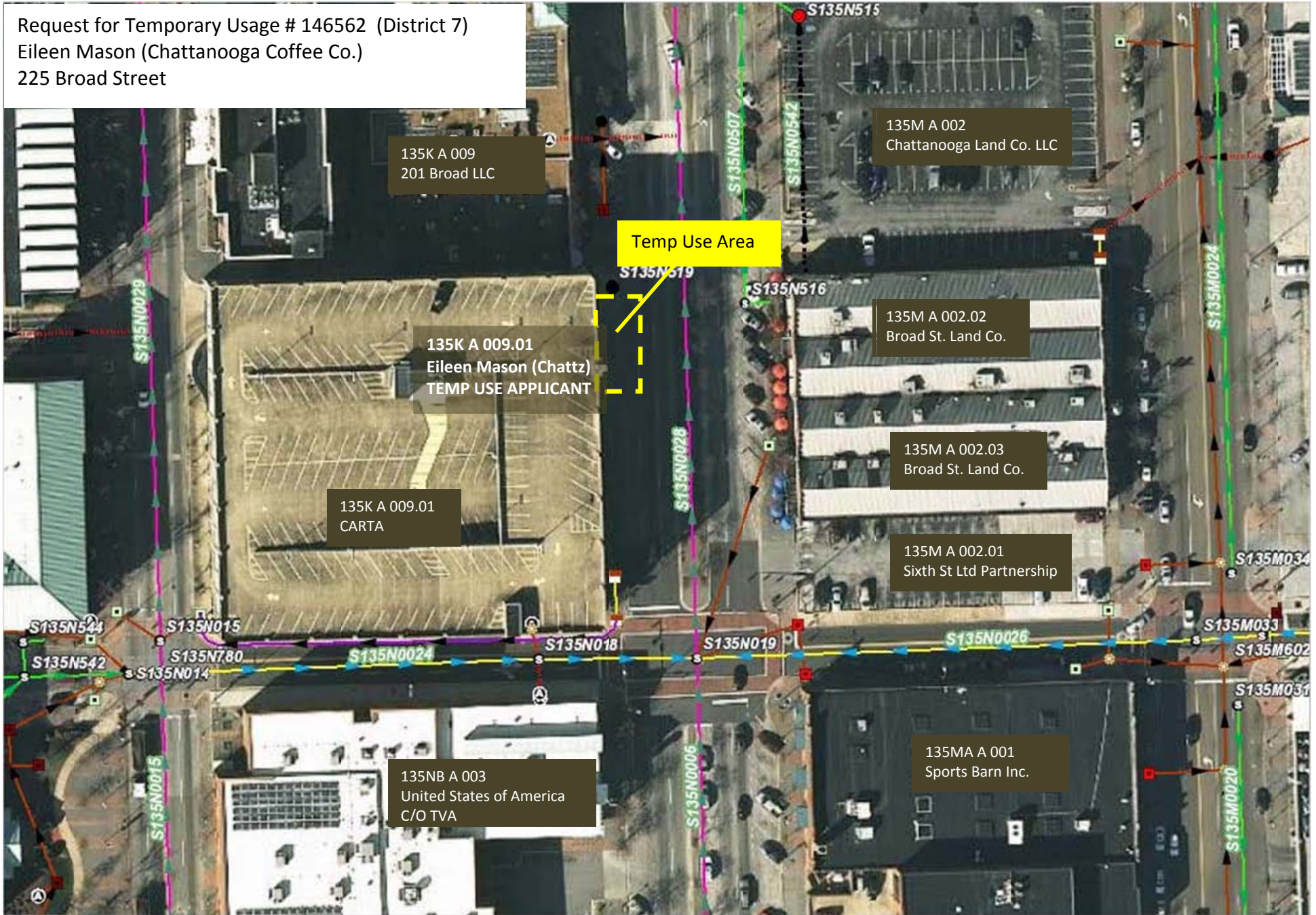
Request for Temporary Usage # 146562 (District 7)
Eileen Mason (Chattanooga Coffee Co.)
225 Broad Street

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



135K A 009
201 Broad LLC

135M A 002
Chattanooga Land Co. LLC

Temp Use Area

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

135M A 002.02
Broad St. Land Co.

135K A 009.01
CARTA

135M A 002.03
Broad St. Land Co.

135M A 002.01
Sixth St Ltd Partnership

135NB A 003
United States of America
C/O TVA

135MA A 001
Sports Barn Inc.