

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

RESOLUTION NO. 28022

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.

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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: September 23, 2014.

/mem

**SPECIAL PERMIT APPLICATION FORM**

<b>CASE NUMBER:</b>	<b>2014-102</b>	<b>Date Submitted:</b>	<b>08-13-2014</b>
(Sections 1-6 below to be filled out by Applicant- RPA staff will assist, if needed)			
<b>1 Applicant Request</b>			
<b>Special Permit</b>	<b>Type: SEP for a Late Night Entertainment Center</b>		
<b>2 Property Information</b>			
Property Address:	250 Northgate Mall Drive Chattanooga, TN 37343		
Property Tax Map Number(s):	110H- E-004		
<b>3 Proposed Development</b>			
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		
<b>4 Site Characteristics</b>			
Current Zoning:	C-2		
Current Use:	Vacant building		
Adjacent Uses:	Mall retail. This location is adjacent to Northgate Mall.		
<b>5 Applicant Information</b>			
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 <sup>th</sup> Floor	
Check one:	<input type="checkbox"/> I am the property owner	<input checked="" 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
<b>6 Property Owner Information (if not applicant)</b>			
Name: Hixson Mall, LLC		Phone: 423-855-0001	
Address: CBL Center, 2030 Hamilton Place Boulevard, Chattanooga, TN 37421			
<b>Office Use Only:</b>			
Planning District: 5		Neighborhood: Hixson Neighborhood	
Hamilton Co. Comm. District: 3		Chatt. Council District: 3	
Staff Rec:		Other Municipality:	
PC Action/Date:		Legislative Action/Date/Ordinance:	
<b>Checklist</b>			
<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
<input checked="" type="checkbox"/>	Total Acres to be considered:	<input checked="" type="checkbox"/>	Deeds
<input checked="" type="checkbox"/>	Plats, if applicable	<input checked="" type="checkbox"/>	Notice Signs
Deed Book(s): 9489-317		Number of Notice Signs: 1	
Plat Book/Page: N/A		<input checked="" type="checkbox"/>	Check
<input checked="" type="checkbox"/>	Filing Fee: \$250.00	<input checked="" type="checkbox"/>	Check Number: 1038797
Cash		Application processed by: Marcia Parker	
Planning Commission meeting date: City Council 9-02-2014			

Chattanooga-Hamilton County Regional Planning Agency  
1250 Market Street / Suite 2000 / Development Resource Center / Chattanooga, TN 37402

**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 10<sup>th</sup> 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

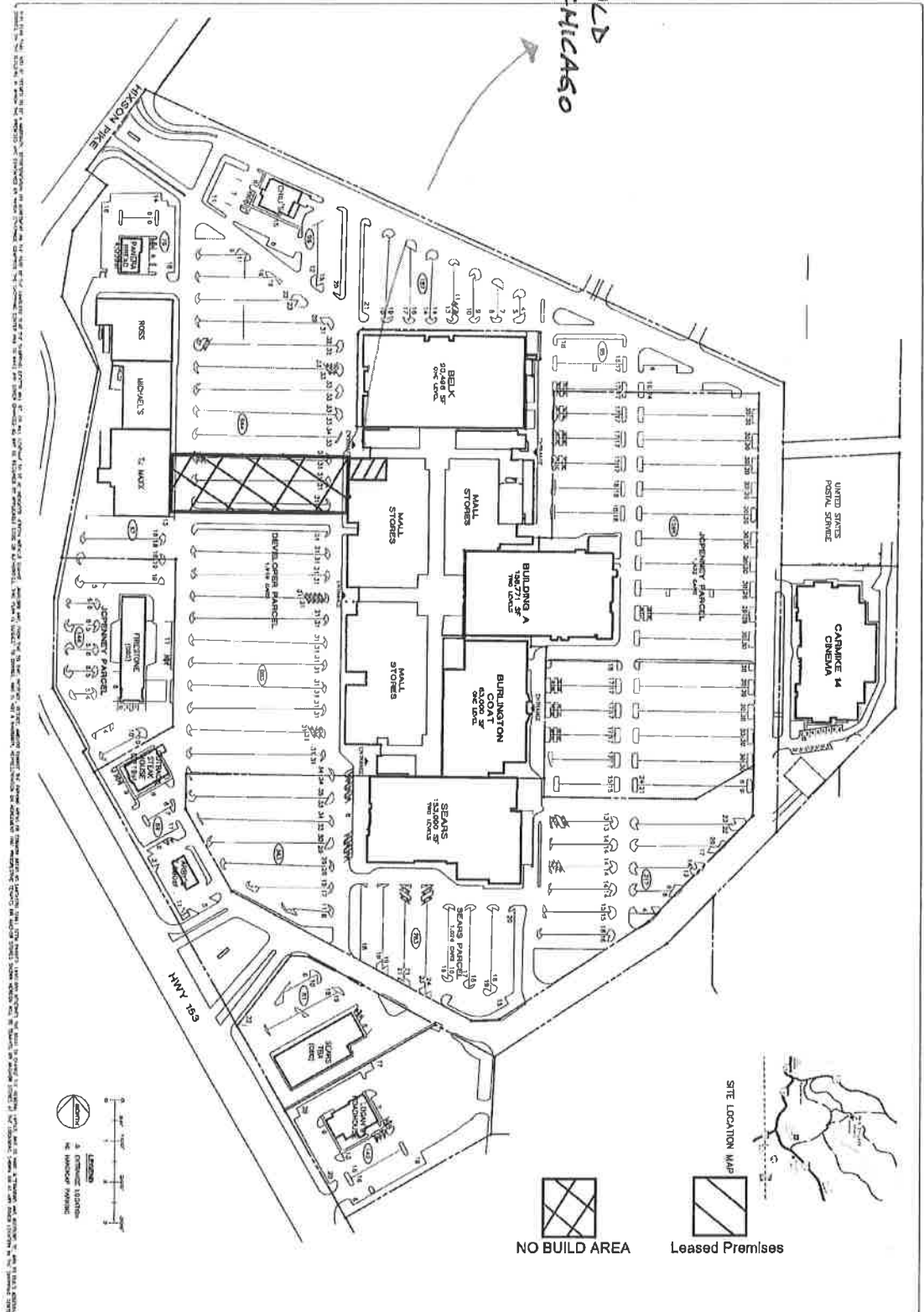
Jeffery V. Curry  
Chief Legal Officer



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

CHD-644171-2

OLD  
CHICAGO



THIS PLAN, MAP, SPECIFICATIONS, CONTRACT DOCUMENTS, AND ALL OTHER INFORMATION HEREBY PROVIDED IS THE PROPERTY OF CBL & ASSOCIATES PROPERTIES, INC. AND IS TO BE USED ONLY FOR THE PROJECT AND SITE IDENTIFIED HEREIN. IT IS NOT TO BE REPRODUCED, COPIED, OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF CBL & ASSOCIATES PROPERTIES, INC. THE USER OF THIS PLAN, MAP, SPECIFICATIONS, CONTRACT DOCUMENTS, AND ALL OTHER INFORMATION HEREBY PROVIDED AGREES TO HOLD CBL & ASSOCIATES PROPERTIES, INC. HARMLESS FROM AND AGAINST ALL SUCH REPRODUCTION, COPIING, OR TRANSMISSION. THE USER OF THIS PLAN, MAP, SPECIFICATIONS, CONTRACT DOCUMENTS, AND ALL OTHER INFORMATION HEREBY PROVIDED AGREES TO INDEMNIFY AND HOLD CBL & ASSOCIATES PROPERTIES, INC. HARMLESS FROM AND AGAINST ALL SUCH REPRODUCTION, COPIING, OR TRANSMISSION. THE USER OF THIS PLAN, MAP, SPECIFICATIONS, CONTRACT DOCUMENTS, AND ALL OTHER INFORMATION HEREBY PROVIDED AGREES TO INDEMNIFY AND HOLD CBL & ASSOCIATES PROPERTIES, INC. HARMLESS FROM AND AGAINST ALL SUCH REPRODUCTION, COPIING, OR TRANSMISSION.

<b>SP 1</b> NORTHGATE MALL 27 NORTHGATE MALL PLAZA, TX 77410 Phone: (282) 878-4351	<b>SITE PLAN</b> EXHIBIT A-1	<b>CBL</b> CBL & ASSOCIATES PROPERTIES, INC. 11111 WEST 11TH AVENUE, SUITE 100 DENVER, CO 80233	PROJECT NO. 001-001-001
			SHEET NO. 001-001-001

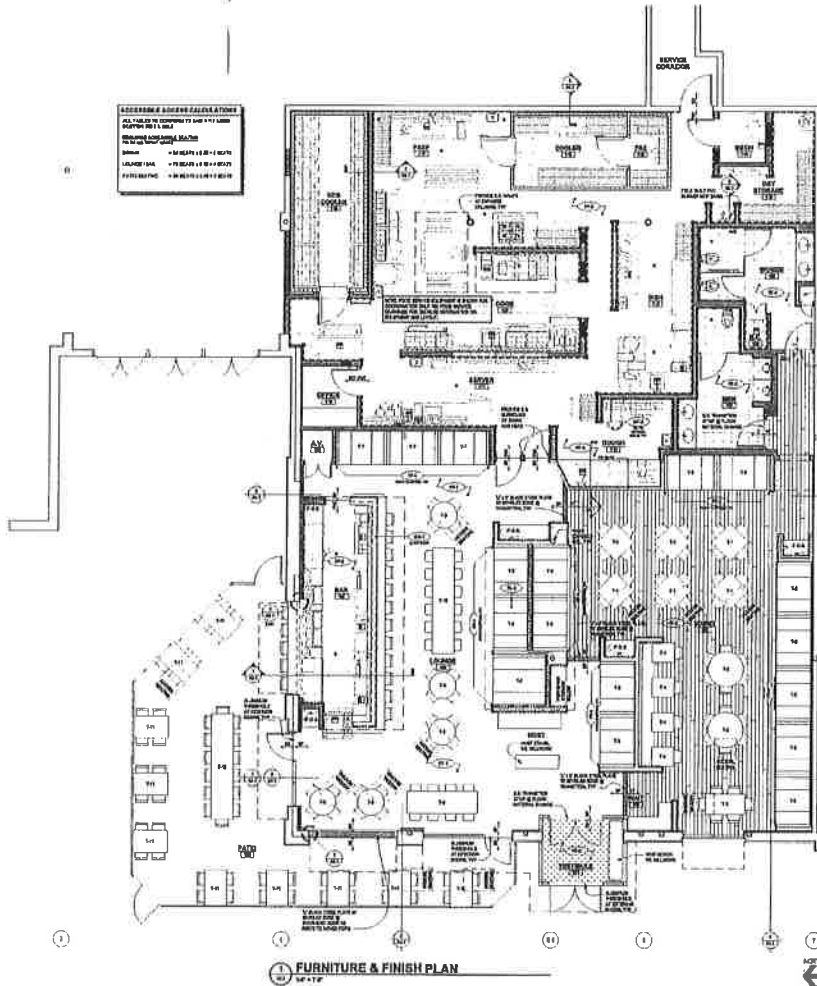
# Northgate Exterior

Option 1 / Front View



1 WEST ELEVATION  
14' x 142'

wd



**ACCESSIBLE AND/OR CALCULATORS**  
 ALL TABLES IN COMPUTERS AND 11" X 17" LAMINATED  
 SURFACES SHALL BE:  
 1. 30" HIGH  
 2. 30" WIDE  
 3. 30" DEEP  
 4. 30" CLEARANCE UNDER  
 5. 30" CLEARANCE OVER

**WALL FINISHES**  
 1. WALLS SHALL BE 1/2" GYP BOARD ON 2" X 4" STUDS  
 2. WALLS SHALL BE 1/2" GYP BOARD ON 2" X 4" STUDS  
 3. WALLS SHALL BE 1/2" GYP BOARD ON 2" X 4" STUDS  
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 9. WALLS SHALL BE 1/2" GYP BOARD ON 2" X 4" STUDS  
 10. WALLS SHALL BE 1/2" GYP BOARD ON 2" X 4" STUDS  
 11. WALLS SHALL BE 1/2" GYP BOARD ON 2" X 4" STUDS  
 12. WALLS SHALL BE 1/2" GYP BOARD ON 2" X 4" STUDS

**FURNITURE**  
 1. ALL SEATING SHALL BE 18" HIGH  
 2. ALL SEATING SHALL BE 18" HIGH  
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 12. ALL SEATING SHALL BE 18" HIGH

**FLOORING**  
 1. ALL FLOORING SHALL BE 1/2" GYP BOARD ON 2" X 4" STUDS  
 2. ALL FLOORING SHALL BE 1/2" GYP BOARD ON 2" X 4" STUDS  
 3. ALL FLOORING SHALL BE 1/2" GYP BOARD ON 2" X 4" STUDS  
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 11. ALL FLOORING SHALL BE 1/2" GYP BOARD ON 2" X 4" STUDS  
 12. ALL FLOORING SHALL BE 1/2" GYP BOARD ON 2" X 4" STUDS

**EXHIBIT B - FINISH SCHEDULE**

NO.	DESCRIPTION	QTY	UNIT	PRICE	TOTAL
1	1/2" GYP BOARD ON 2" X 4" STUDS	1000	SQ. FT.	1.00	1000.00
2	1/2" GYP BOARD ON 2" X 4" STUDS	1000	SQ. FT.	1.00	1000.00
3	1/2" GYP BOARD ON 2" X 4" STUDS	1000	SQ. FT.	1.00	1000.00
4	1/2" GYP BOARD ON 2" X 4" STUDS	1000	SQ. FT.	1.00	1000.00
5	1/2" GYP BOARD ON 2" X 4" STUDS	1000	SQ. FT.	1.00	1000.00
6	1/2" GYP BOARD ON 2" X 4" STUDS	1000	SQ. FT.	1.00	1000.00
7	1/2" GYP BOARD ON 2" X 4" STUDS	1000	SQ. FT.	1.00	1000.00
8	1/2" GYP BOARD ON 2" X 4" STUDS	1000	SQ. FT.	1.00	1000.00
9	1/2" GYP BOARD ON 2" X 4" STUDS	1000	SQ. FT.	1.00	1000.00
10	1/2" GYP BOARD ON 2" X 4" STUDS	1000	SQ. FT.	1.00	1000.00
11	1/2" GYP BOARD ON 2" X 4" STUDS	1000	SQ. FT.	1.00	1000.00
12	1/2" GYP BOARD ON 2" X 4" STUDS	1000	SQ. FT.	1.00	1000.00

**EXHIBIT C - FINISH SCHEDULE**

NO.	DESCRIPTION	QTY	UNIT	PRICE	TOTAL
1	1/2" GYP BOARD ON 2" X 4" STUDS	1000	SQ. FT.	1.00	1000.00
2	1/2" GYP BOARD ON 2" X 4" STUDS	1000	SQ. FT.	1.00	1000.00
3	1/2" GYP BOARD ON 2" X 4" STUDS	1000	SQ. FT.	1.00	1000.00
4	1/2" GYP BOARD ON 2" X 4" STUDS	1000	SQ. FT.	1.00	1000.00
5	1/2" GYP BOARD ON 2" X 4" STUDS	1000	SQ. FT.	1.00	1000.00
6	1/2" GYP BOARD ON 2" X 4" STUDS	1000	SQ. FT.	1.00	1000.00
7	1/2" GYP BOARD ON 2" X 4" STUDS	1000	SQ. FT.	1.00	1000.00
8	1/2" GYP BOARD ON 2" X 4" STUDS	1000	SQ. FT.	1.00	1000.00
9	1/2" GYP BOARD ON 2" X 4" STUDS	1000	SQ. FT.	1.00	1000.00
10	1/2" GYP BOARD ON 2" X 4" STUDS	1000	SQ. FT.	1.00	1000.00
11	1/2" GYP BOARD ON 2" X 4" STUDS	1000	SQ. FT.	1.00	1000.00
12	1/2" GYP BOARD ON 2" X 4" STUDS	1000	SQ. FT.	1.00	1000.00

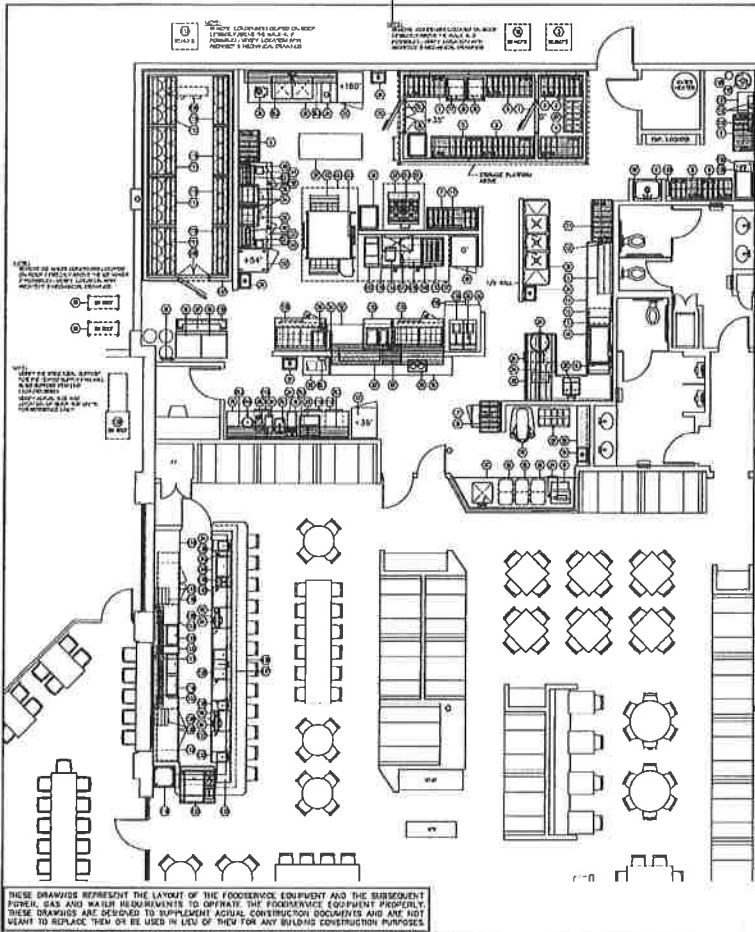
**NOTES**  
 1. SEE EXHIBIT D FOR FINISH SCHEDULE  
 2. SEE EXHIBIT E FOR FINISH SCHEDULE  
 3. SEE EXHIBIT F FOR FINISH SCHEDULE  
 4. SEE EXHIBIT G FOR FINISH SCHEDULE  
 5. SEE EXHIBIT H FOR FINISH SCHEDULE  
 6. SEE EXHIBIT I FOR FINISH SCHEDULE  
 7. SEE EXHIBIT J FOR FINISH SCHEDULE  
 8. SEE EXHIBIT K FOR FINISH SCHEDULE  
 9. SEE EXHIBIT L FOR FINISH SCHEDULE  
 10. SEE EXHIBIT M FOR FINISH SCHEDULE  
 11. SEE EXHIBIT N FOR FINISH SCHEDULE  
 12. SEE EXHIBIT O FOR FINISH SCHEDULE

**BRAY**  
 Architecture, Inc.

**NORTHGATE MALL**  
 CHATTANOOGA, TN

**OLD CHICAGO**  
 RESTAURANT

DATE: 10/10/00  
 DRAWN: J. B. BRYAN  
 CHECKED: J. B. BRYAN  
 PROJECT: NORTHGATE MALL  
 SHEET: A2.2



NO.	DESCRIPTION	MANUFACTURER	MODEL
1	1/2" DIA. STEEL	TRIMARK	TR-1000
2	1/2" DIA. STEEL	TRIMARK	TR-1000
3	1/2" DIA. STEEL	TRIMARK	TR-1000
4	1/2" DIA. STEEL	TRIMARK	TR-1000
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100	1/2" DIA. STEEL	TRIMARK	TR-1000

NO.	DESCRIPTION	MANUFACTURER	MODEL
101	1/2" DIA. STEEL	TRIMARK	TR-1000
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151	1/2" DIA. STEEL	TRIMARK	TR-1000
152	1/2" DIA. STEEL	TRIMARK	TR-1000
153	1/2" DIA. STEEL	TRIMARK	TR-1000
154	1/2" DIA. STEEL	TRIMARK	TR-1000
155	1/2" DIA. STEEL	TRIMARK	TR-1000
156	1/2" DIA. STEEL	TRIMARK	TR-1000
157	1/2" DIA. STEEL	TRIMARK	TR-1000
158	1/2" DIA. STEEL	TRIMARK	TR-1000
159	1/2" DIA. STEEL	TRIMARK	TR-1000
160	1/2" DIA. STEEL	TRIMARK	TR-1000
161	1/2" DIA. STEEL	TRIMARK	TR-1000
162	1/2" DIA. STEEL	TRIMARK	TR-1000
163	1/2" DIA. STEEL	TRIMARK	TR-1000
164	1/2" DIA. STEEL	TRIMARK	TR-1000
165	1/2" DIA. STEEL	TRIMARK	TR-1000
166	1/2" DIA. STEEL	TRIMARK	TR-1000
167	1/2" DIA. STEEL	TRIMARK	TR-1000
168	1/2" DIA. STEEL	TRIMARK	TR-1000
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172	1/2" DIA. STEEL	TRIMARK	TR-1000
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174	1/2" DIA. STEEL	TRIMARK	TR-1000
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184	1/2" DIA. STEEL	TRIMARK	TR-1000
185	1/2" DIA. STEEL	TRIMARK	TR-1000
186	1/2" DIA. STEEL	TRIMARK	TR-1000
187	1/2" DIA. STEEL	TRIMARK	TR-1000
188	1/2" DIA. STEEL	TRIMARK	TR-1000
189	1/2" DIA. STEEL	TRIMARK	TR-1000
190	1/2" DIA. STEEL	TRIMARK	TR-1000
191	1/2" DIA. STEEL	TRIMARK	TR-1000
192	1/2" DIA. STEEL	TRIMARK	TR-1000
193	1/2" DIA. STEEL	TRIMARK	TR-1000
194	1/2" DIA. STEEL	TRIMARK	TR-1000
195	1/2" DIA. STEEL	TRIMARK	TR-1000
196	1/2" DIA. STEEL	TRIMARK	TR-1000
197	1/2" DIA. STEEL	TRIMARK	TR-1000
198	1/2" DIA. STEEL	TRIMARK	TR-1000
199	1/2" DIA. STEEL	TRIMARK	TR-1000
200	1/2" DIA. STEEL	TRIMARK	TR-1000



TriMark Foodcraft  
 2001 Hope Church Rd.  
 Winston-Salem, NC 27103  
 336.788.7000  
 800.842.0015  
[www.trimarkusa.com](http://www.trimarkusa.com)

OLD CHICAGO  
 CHATTANOOGA, TN

REFERENCED BY  
 157 RELEASE  
 04/05/05

SCALE  
 1/8" = 1'-0"  
 4.10.14 PROJECT NO.  
 14-014  
 DRAWN BY  
 W. BRAUCRAMPT  
 CHECKED BY  
 A. BRUER  
 SHEET NO.  
 K1

EQUIPMENT FLOOR PLAN

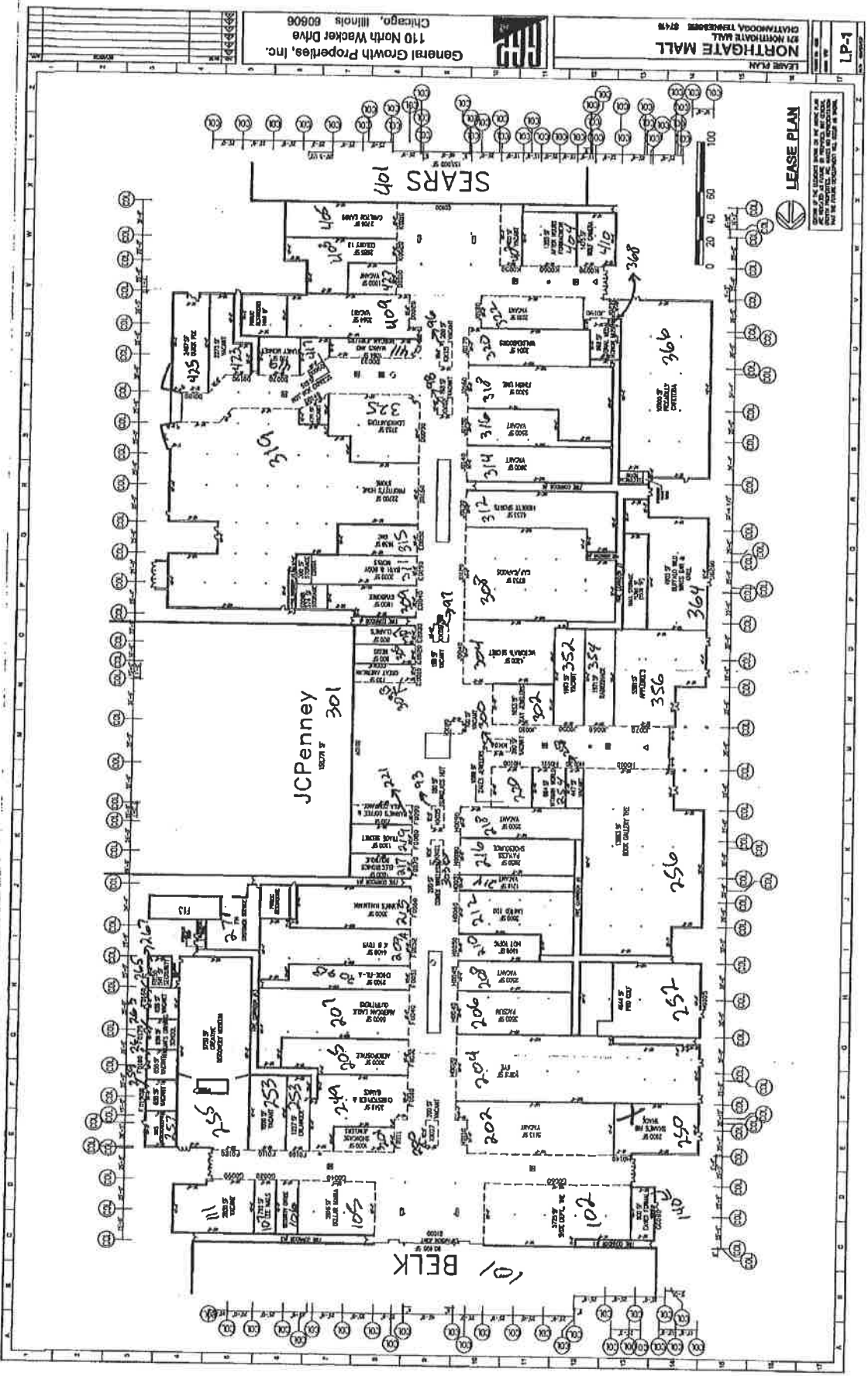


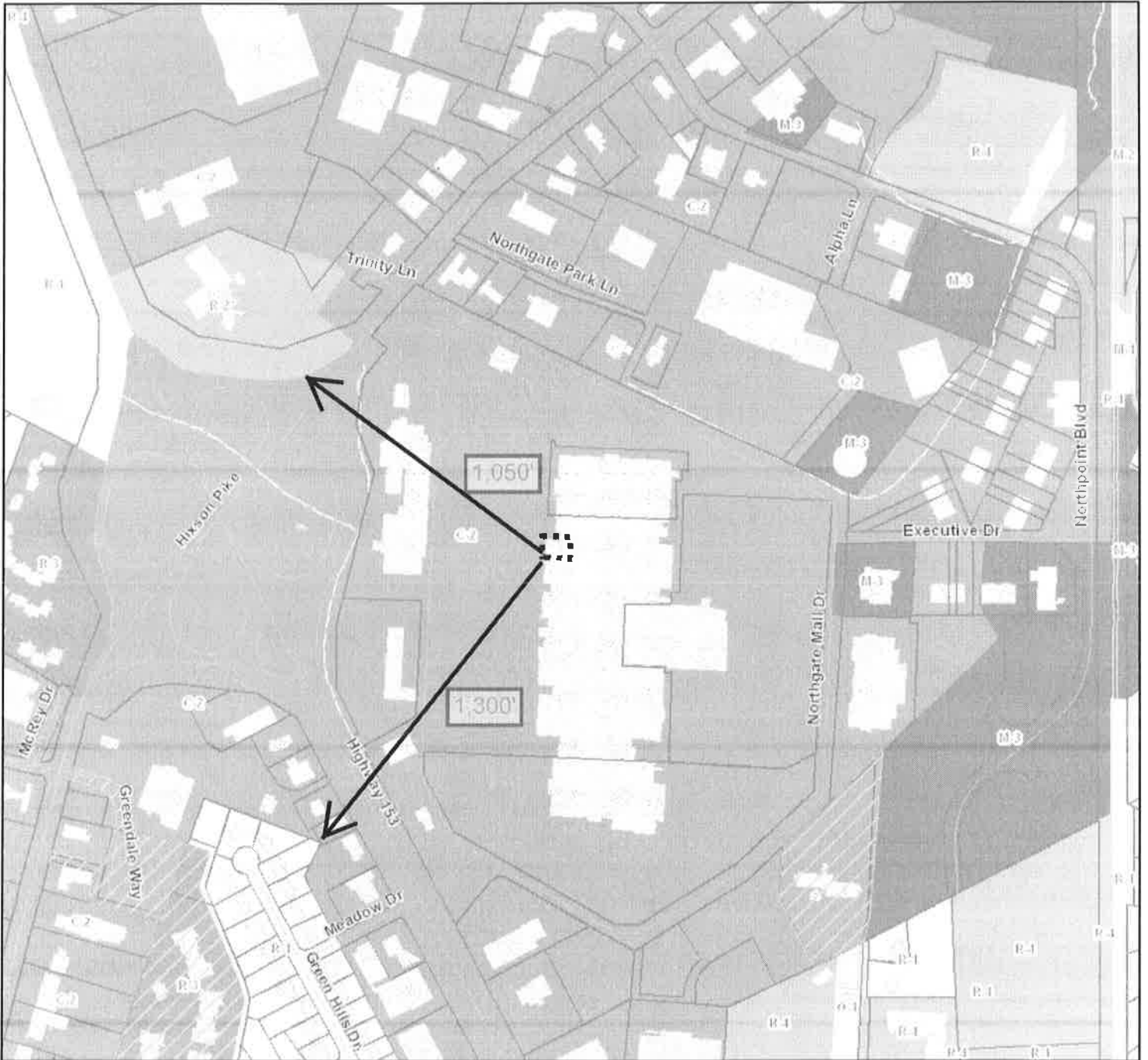
LEASE PLAN

THIS PLAN IS SUBJECT TO THE GENERAL LEASE AGREEMENT AND THE SUPPLEMENTAL AGREEMENTS, ALL OF WHICH ARE INCORPORATED BY REFERENCE INTO THIS LEASE PLAN. THE LESSEE SHALL BE RESPONSIBLE FOR THE PROPER MAINTENANCE AND REPAIR OF THE PREMISES.

NORTHGATE MALL  
271 NORTHGATE WALK  
CHATTANOOGA TENNESSEE 37419

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





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

North

500 ft

**Chattanooga Hamilton County Regional Planning Agency**

**RPA**