

RESOLUTION NO. 29661

A RESOLUTION AUTHORIZING S.E. ENGINEERING C/O KEVIN YASTE, ON BEHALF OF APPLICANT, JERRY KATZOFF, AND PROPERTY OWNER, JAMES WILLIAMSON, TO USE TEMPORARILY THE RIGHT-OF-WAY LOCATED ALONG THE ENCLOSED SIDEWALK AREA AT 225 BROAD STREET FOR EXTERIOR SEATING FOR A NEW STARBUCKS UNDER THE EXISTING DECK OF THE HIGH POINT CLIMBING GYM, AS WELL AS A WALL MARQUEE AND A PROJECTING SIGN, 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 S.E. ENGINEERING C/O KEVIN YASTE, ON BEHALF OF APPLICANT, JERRY KATZOFF, AND PROPERTY OWNER, JAMES WILLIAMSON, (hereinafter referred to as “Temporary User”) be and is hereby permitted to use temporarily the right-of-way located along the enclosed sidewalk area at 225 Broad Street for exterior seating for a new Starbucks under the existing deck of the High Point Climbing gym, as well as a wall marquee and a projecting sign, 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. 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.

4. Any overhead projecting objects must meet the minimum height requirements as per the City of Chattanooga's Codes and Standards (Section 32-8). Installation shall maintain a minimum height requirement of nine (9') feet above the sidewalk and a minimum clearance of eighteen (18") inches from the curb line at all points.

5. Temporary User shall obtain any and all necessary permits and approvals from the City of Chattanooga Land Development Office.

6. 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.

ADOPTED: October 16, 2018

/mem

Chestnut St

200

Temp Use Area

219

Broad St

201

222

224

51

Market St

W 3rd St

311

345

301

325

311

