

PLANNING COMMISSION CASE REPORT

Case Number: MR 2016-098

PC Meeting Date: 07-11-16

Applicant Request

Mandatory Referral for Franchise Agreement

Property Location:	736 Broad Street
Property Owner:	AMZA, LP (David Ross)
Applicant:	Michael G. McHale

Project Description

- Proposal: The applicant is applying for two different components in a Franchise Agreement with the City of Chattanooga. The First component is to allow the use of an existing basement which extends into the public right-of-way under an existing sidewalk. The second component is an awning proposed for the entrance of the hotel fronting on Broad Street. Final dimensions to be determined through temporary use process, however, the intent is to provide cover over the guest arrival area from the building to a point as close to the street as allowable.

Site Analysis

Site Description

- Location: The Awning is to be located on the Broad Street side of building.

Plans/Policies/Regulations

- The Downtown Plan (adopted by City Council in 2004) recommends enhancing streetscapes, "Streets being the city's most important public space."
- Tennessee Code Annotated (13-4-104) requires the Planning Commission to review the widening, narrowing, relocation, vacation, change in use, acceptance, acquisition, sale or lease of any street or public way, ground, place, property or structure. Failure of the Planning Commission to act within 30 days shall be deemed an approval.

Key Findings

- A Franchise Agreement is only needed for the existing basement area that extends under the sidewalk.
- The basement is an existing structure which has been used by prior tenants. This situation is common in the downtown core of Chattanooga.
- The appropriate process for awnings that extend into the right-of-way is to apply for a Temporary Use Permit through the Chattanooga Department of Transportation.

Staff Recommendation

Approval of the Franchise Agreement for use of the existing basement which extends into the public-right-of-way; Denial of the Franchise Agreement for an awning along Broad Street.