

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING TERESA S. JUMP C/O ROBERT C. TAYLOR, CITYSCAPE DEVELOPMENT SERVICES TO USE TEMPORARILY THE RIGHT-OF-WAY LOCATED AT 320 EAST MAIN AND A PORTION OF WILHOIT STREET FOR ENCROACHMENT AT SUBGRADE FOR FOOTINGS AND OVERHEAD PROJECTING AWNING, AS SHOWN IN THE ATTACHED DRAWINGS 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 TERESA S. JUMP c/o ROBERT C. TAYLOR, CITYSCAPE DEVELOPMENT SERVICES, (hereinafter referred to as "Temporary User") be and is hereby permitted to use temporarily the right-of-way located at 320 East Main and a portion of Wilhoit Street for encroachment at subgrade for footings and overhead projecting awning, as shown in the attached drawings 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 shall execute the Indemnification Agreement attached hereto in favor of the City of Chattanooga, its officers, agents and employees for any and all claims for damages for injuries to persons or property related to or arising out of the temporary usage.
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. All improvements and construction must meet ADA and City of Chattanooga standards.

5. Any overhead projecting objects must meet the minimum height requirements as per the City of Chattanooga's Codes and Standards.

ADOPTED: _____, 2013

/mms

INDEMNIFICATION AGREEMENT

This Indemnification Agreement is entered into by and between THE CITY OF CHATTANOOGA, TENNESSEE (hereinafter the “City”), and TERESA S. JUMP c/o ROBERT C. TAYLOR, CITYSCAPE DEVELOPMENT SERVICES (hereinafter “Temporary User”), this ____ day of _____, 2013.

For and in consideration of the granting of the temporary usage of the right-of-way located at 320 East Main and a portion of Wilhoit Street for encroachment at subgrade for footings and overhead projecting awning, as shown in the attached drawings hereto and made a part hereof by reference, the receipt of which is hereby acknowledged, Temporary User agrees as follows:

1. Temporary User shall defend, 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 shall vacate the property and temporary use upon reasonable notice from the City to do so; the parties hereto agree that “reasonable notice” shall be deemed to be thirty (30) days. Temporary User shall restore the property to its original condition when it is returned to the City.
3. Temporary User shall provide adequate access for maintenance of any utilities located within the easement.
4. All improvements and construction must meet ADA and City of Chattanooga standards.
5. Any overhead projecting objects must meet the minimum height requirements as per the City of Chattanooga’s Codes and Standards.

CITYSCAPE DEVELOPMENT SERVICES

_____, 2013
Date

BY: _____

CITY OF CHATTANOOGA, TENNESSEE

_____, 2013
Date

BY: _____
Ron Littlefield, Mayor

City of Chattanooga



Resolution Request Form

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

Date: January 11, 2013

Preparer: William C. Payne

Department: Public Works - Engineering

Brief Description of Purpose for Resolution:

Resolution Number (if approved by Council): _____ District 7

A City Council Action is requested to approve the request Temporary Usage No. 105944 for Teresa S. Jump c/o Robert C. Taylor, Cityscape Development Services for the right-of-way along 320 East Main and a portion of Wilhoit Street for encroachment at subgrade for footings and overhead project awning, as shown on the attached drawing.

Name of Vendor/Contractor/Grant, etc.	N/A	New Contract/Project? (Yes or No)	N/A
Total project cost \$	N/A	Funds Budgeted? (YES or NO)	N/A
Total City of Chattanooga Portion \$	N/A	Provide Fund	N/A
City Amount Funded \$	N/A	Provide Cost Center	N/A
New City Funding Required \$	N/A	Proposed Funding Source if not budgeted	N/A
City's Match Percentage %	N/A	Grant Period (if applicable)	N/A

List all other funding sources and amount for each contributor.

Amount(s)	Grantor(s)

Agency Grant Number _____

CFDA Number if known _____

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

Approved by:

Reviewed by: FINANCE OFFICE

DESIGNATED OFFICIAL/ADMINISTRATOR

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

Memorandum

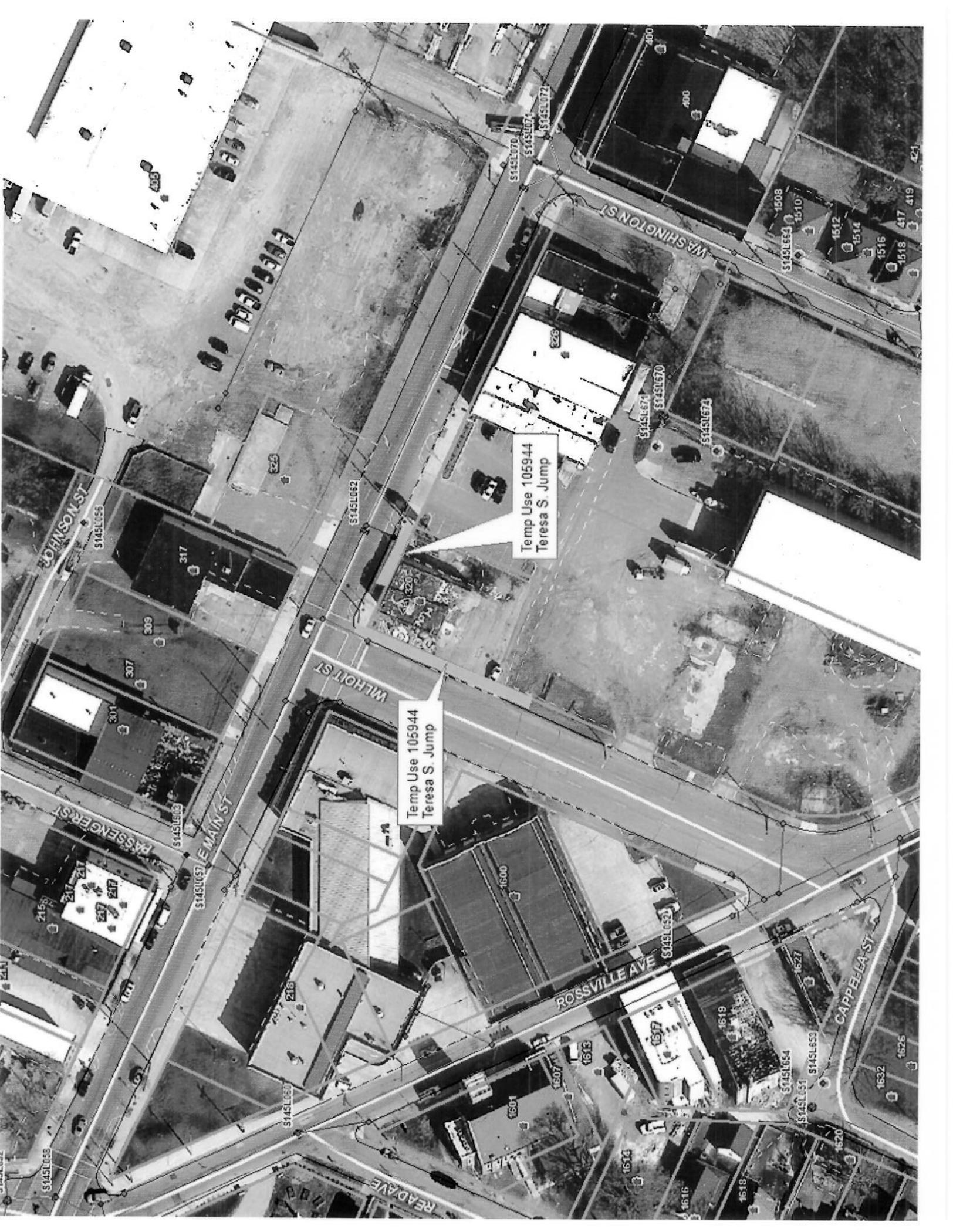
To: Bill Payne
cc: Dennis Malone
From: Bill Cannon
Date: January 11, 2013
Re: Temporary Usage Request # 105944
Robert Taylor for Teresa S. Jump (Center for Integrative Medicine)
320 E. Main St. & Wilhoit St.
Recommendations Regarding Temporary Usage Request

I have completed my review of Ms. Jump's request regarding the Temporary Usage of the Right of Way along 320 E. Main Street and a portion of Wilhoit Street (see attached map). The request is regarding encroachment at subgrade for footings and overhead projecting Awnings / Canopies and Signage for a newly constructed office facility. My comments are as follows:

- The requested portion of right of way is approximately 59 feet in length along E. Main Street and encroachment will be approximately 4 feet into the right of way for Awnings / Canopies and Signage.
- The requested portion of right of way is approximately 141 feet in length along Wilhoit Street and encroachment will be approximately 2 feet into the right of way for the footings and 4 feet into the right of way for the Awnings / Canopies and Signage.
- All awnings and canopies will meet the minimum height requirement if constructed as per submitted drawings (lowest elevation is 10' 4").

After review, granting this Temporary Usage does not conflict with the Public's interest. Therefore, I recommend the request for ***Temporary Usage be granted with the following conditions:***

- ***All improvements and construction must meet ADA and City of Chattanooga standards.***
- ***Any overhead projecting objects must meet the minimum height requirements as per the City of Chattanooga's Codes and Standards.***



Temp Use 105944
Teresa S. Jump

Temp Use 105944
Teresa S. Jump

Cannon William

From: rctaylor@epbfi.com
Sent: Thursday, January 10, 2013 4:05 PM
To: Cannon William
Subject: Request for Temporary Usage for Project at East Main & Wilhoit Streets

Bill,

Thank you for your time and counsel this morning when I met with you about the Temporary Usage Permit application for the new construction project at 320 East Main Street. As you recommended, I am writing to advise you of the project's construction schedule in light of the timeframe for processing the permit request and its presentation to City Council for approval. Our general contractor has already begun grading the site and will soon be ready to proceed with installation of geopiers and foundations. Should work on the foundations begin prior to the Council taking action to approve the permit request, we acknowledge our responsibility for removing any of the work in the event the Council should deny it. Please let me know if you need any additional information or have any questions.

Sincerely,

Rob Taylor

Owners' Representative

Robert C. Taylor, Jr.
CityScape Development Services
1600 Shady Circle
Chattanooga, TN 37405
423.280.7719



For Office Use Only

J. Crabtree
Technician Signature

1/7/13
Date

JANUARY 4, 2013
(DATE)

WO# 105944

William C. Payne, P. E.
City Engineer
Development Resource Center
1250 Market Street, Suite 2100
Chattanooga, Tennessee 37402

RECEIVED
JAN - 7 2013

SR#684153

ENTERED
OFF

CLOSED WATER
1-7-2013

Re: Request for Temporary Usage

Dear Mr. Payne:

This is a request for a temporary usage of RIGHTS-OF-WAY ALONG EAST MAIN & WILHOIT STREETS FOR CONSTRUCTION OF A NEW BUILDING, THE CENTER ON MAIN, AT 320 EAST MAIN STREET FOR MRS. TERRY S. JUMP

The reason for this request is as follows:

ENCROACHMENT AT SUBGRADE FOR FOOTINGS AT BACK OF SIDEWALK
ENCROACHMENT OVERHEAD FOR PROJECTING AWNINGS, CANOPIES & SIGNAGE

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 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.
3. Temporary User will provide full access for maintenance of any utilities located within the easement.
4. Temporary User will obtain any and all other permits, variances, or approvals necessary to accommodate the temporary use.
5. 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.
6. 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:

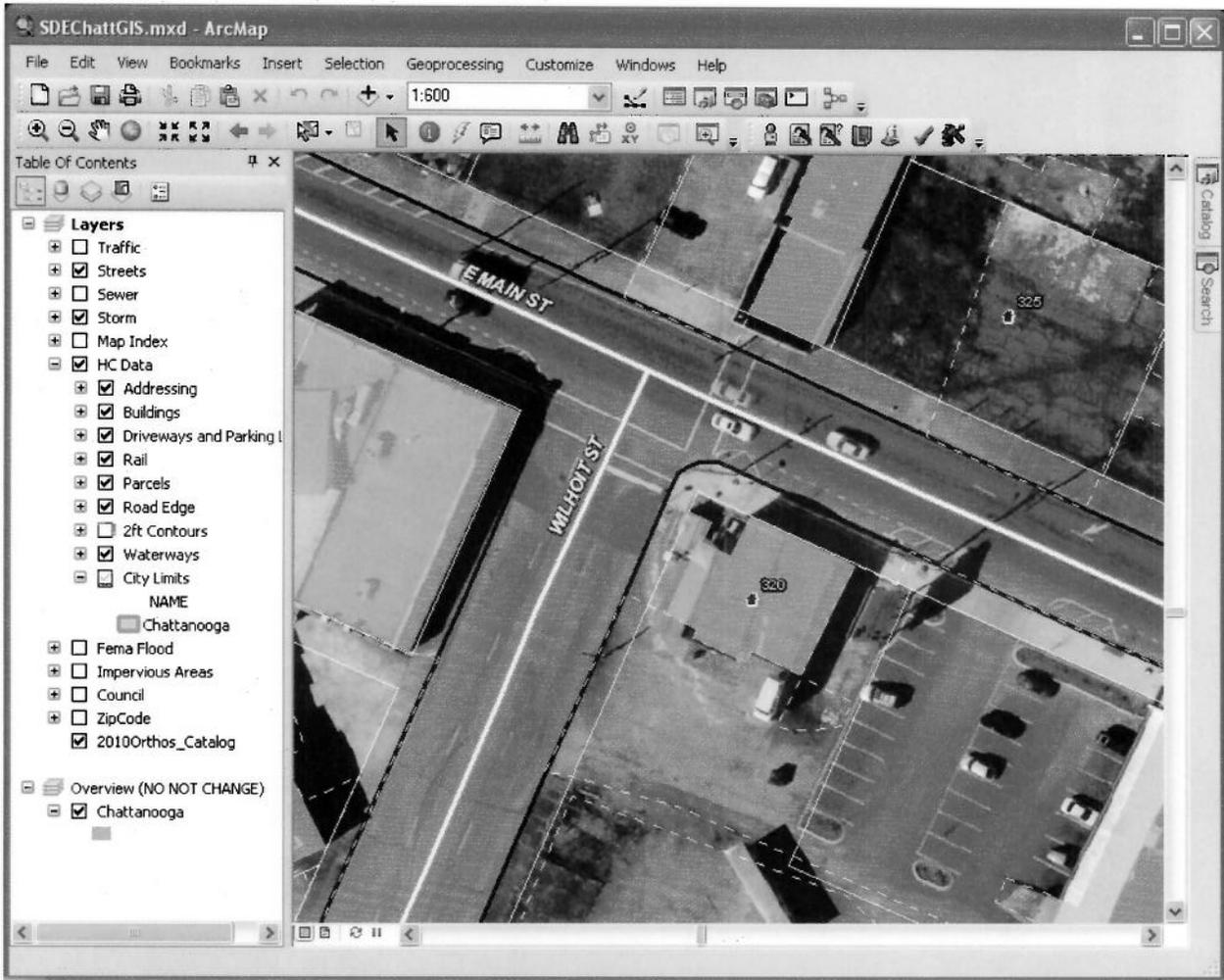
ROBERT C. TAYLOR (OWNER'S REPRESENTATIVE), CITYSCOPE DEVELOPMENT SERVICES,
1600 SHADY CIRCLE, CHATTANOOGA, TN 37405
PHONE: 280-7719 (email address) rc.taylor@epbf.com

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

ROBERT C. TAYLOR (OWNER'S REPRESENTATIVE) JANUARY 4, 2013
(Print) Applicant Name Date

TERESA S. JUMP 1/7/13
(Print) Owner's Name Date

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



320 East Main St.
WO.# 105944
SR# 684153



**CITY OF CHATTANOOGA
PUBLIC WORKS DEPARTMENT
UNIFIED WORK ORDER**

SR# 684153

Project/Funding:

Work Order Number: *105944*



Address: 320 E MAIN ST

Tax Map/Grid: 145L

Required Work Type: ENG - Temporary Use		Category: ADMIN	Date Needed: 3/8/2013
WO Initiated: 1/7/2013 3:05:55 PM	Initiated By: FISHER, CAROLYN C	Requested By: CANNON, WILLIAM E	Priority: 3
		District: 7	Transferred To/Submitted to:
			Status: UNDINV

Instructions:

Comments: From: Request ID: 684153, 1/7/2013 3:05:45 PM Problem Details: REQUEST FR A TEMPORARY USAGE OF RIGHTS-OF-WAY ALONG EAST MAIN AND WILHOIT STREETS FOR CONSTRUCTION OF A NEW BUILDING, THE CENTER ON MAIN AT 320 MAIN STREET FOR MRS. TERRY S. JUMP
REASON FOR REQUEST: ENCROACHMENT AT SUBGRADE FOR FOOTINGS AT BACK OF

By FISHER, CAROLYN C: 1/7/2013 3:06:42 PM
REQUEST FIOR TEMP USAGE FOR AWNINGS, CANOPIES AND SIGNAGE

Date Completed:

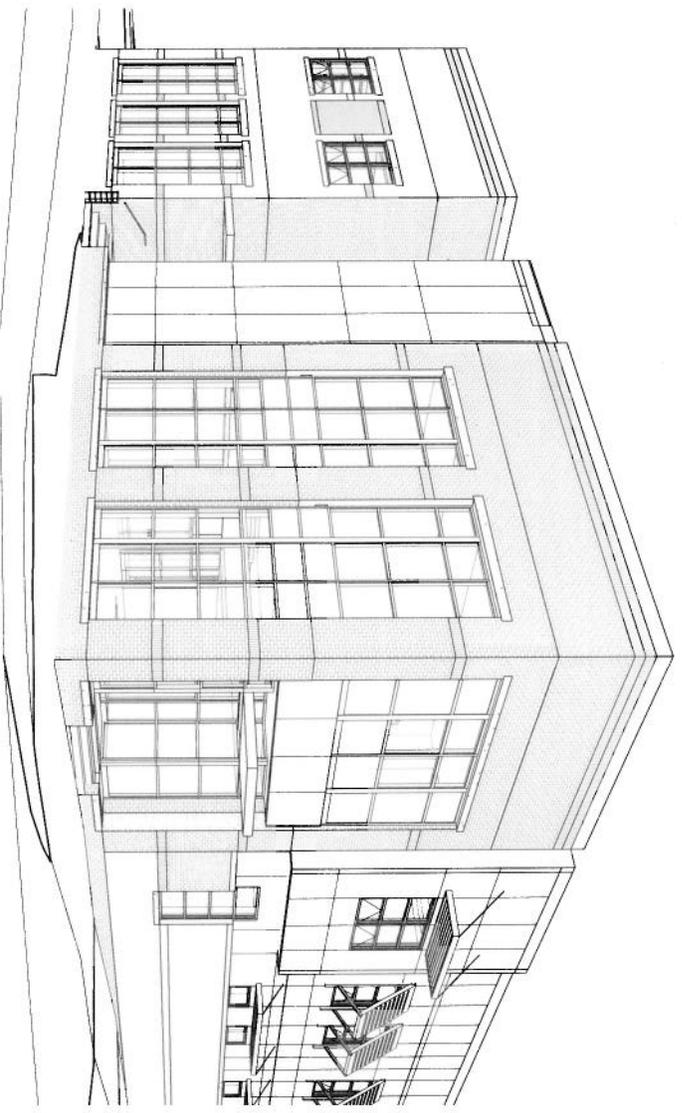
Supervisor:

WO Closed :

Associated Service Request(s), if Any:

SR#	Date/Time Init.	Priority	Description	Problem Address
684153	1/7/2013 3:05:18 PM	3	ENG - Temporary Right-of-Way Use	320 E MAIN ST
Customer Name			Customer Work Phone	Customer Zip
MEDICINE & CENTER MED SPA, CENTER FOR INTEGRATI				37408

Work Comments/Results:



1 PERSP. AT CORNER OF MAIN AND
WILHOIT
320 EAST MAIN

elemi

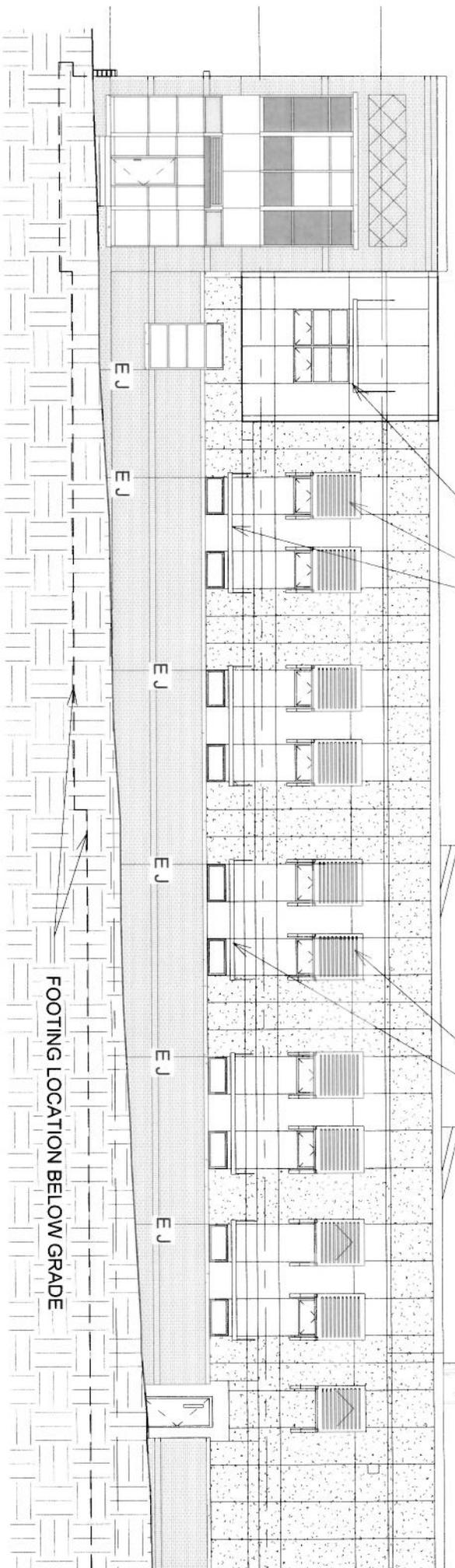
architecture
planning
urban design

THE CENTER FOR INTEGRATIVE MEDICINE AND CENTER MED SPA

PROJECT NUMBER: 01204
DATE: 12/20/12



SCALE:



1
 TEMP USE PERMIT - WILHOIT ST
 ELEVATION
 1/16" = 1'-0"

ALUMINUM SUNSHADES INCLUDED
 IN TEMP USE PERMIT (SEE ATTACHED
 PLANS AND SECTIONS FOR DEPTH)

ALUMINUM SUNSHADES INCLUDED
 IN TEMP USE PERMIT (SEE ATTACHED
 PLANS AND SECTIONS FOR DEPTH) TYP.
 FOR EVERY SUNSHADE ON WILHOIT
 ELEVATION

FOOTING LOCATION BELOW GRADE



elemi
 architecture
 planning
 urban design

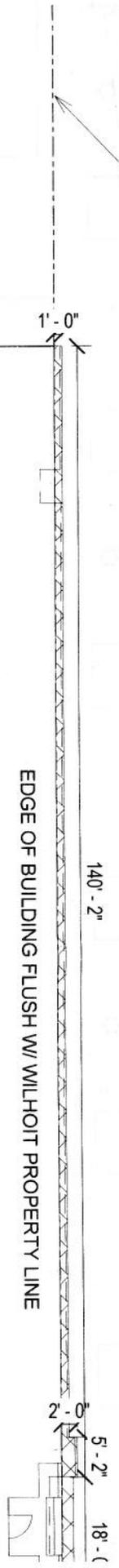
THE CENTER FOR INTEGRATIVE MEDICINE AND CENTER MED SPA

PROJECT NUMBER: 01204
 DATE: 12/20/12

SCALE: 1/16"

PROPERTY LINE

WILHOIT STREET

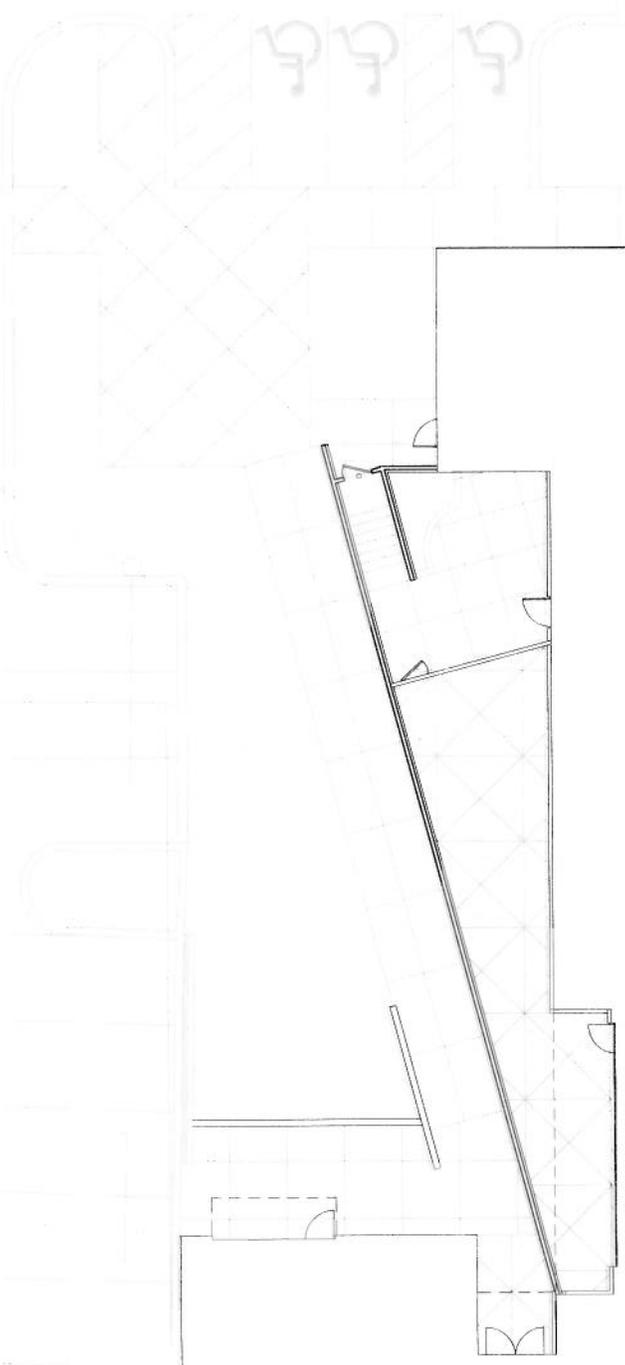


EDGE OF BUILDING FLUSH W/ WILHOIT PROPERTY LINE

140'-2"

5'-2"

18'-0"



1 TEMP USE PERMIT-FOUNDATION
1" = 20'-0"



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architecture
planning
urban design

THE CENTER FOR INTEGRATIVE MEDICINE AND CENTER MED SPA

PROJECT NUMBER: 01204
DATE: 12/20/12

SCALE: 1" =

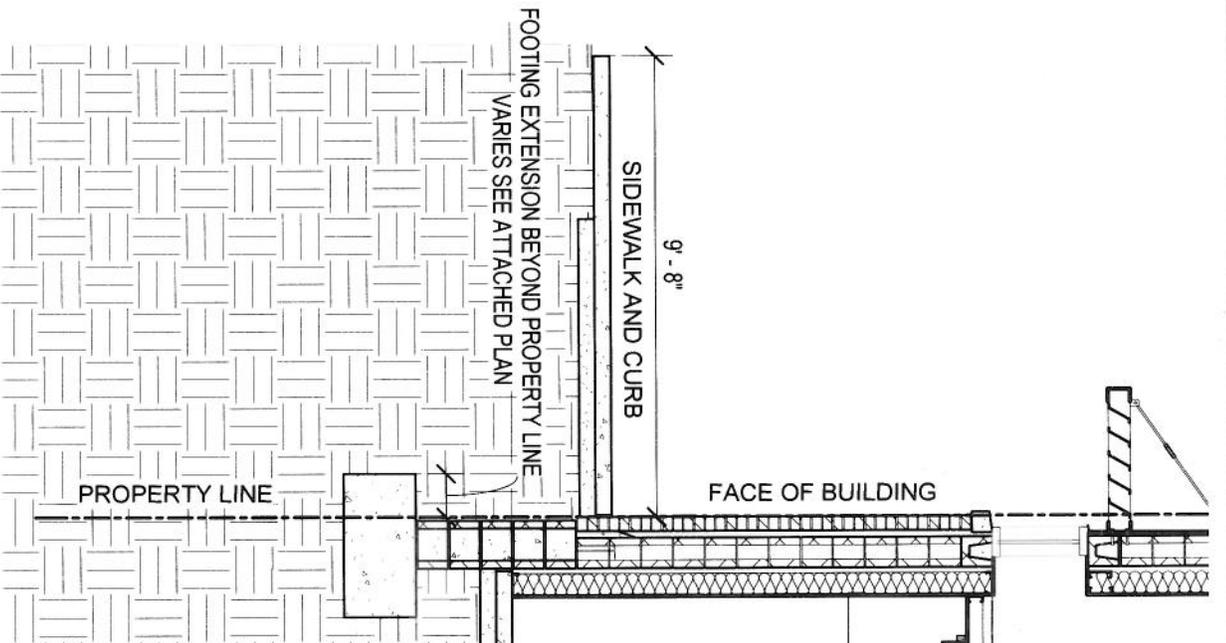


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THE CENTER FOR INTEGRATIVE MEDICINE AND CENTER MED SPA

PROJECT NUMBER: 01204
DATE: 12/20/12

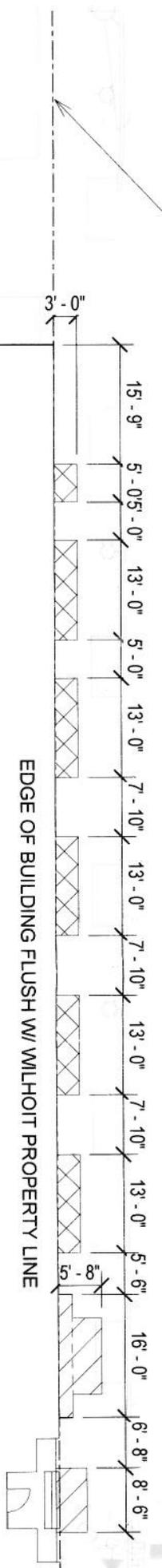
1 WILHOIT WALL SECTION
1/4" = 1'-0"



SCALE: 1/4"

PROPERTY LINE

WILHOIT STREET



1 TEMP USE PERMIT - AWNINGS
1" = 20'-0"



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architecture
planning
urban design

THE CENTER FOR INTEGRATIVE MEDICINE AND CENTER MED SPA

PROJECT NUMBER: 01204
DATE: 12/20/12

SCALE: 1" =



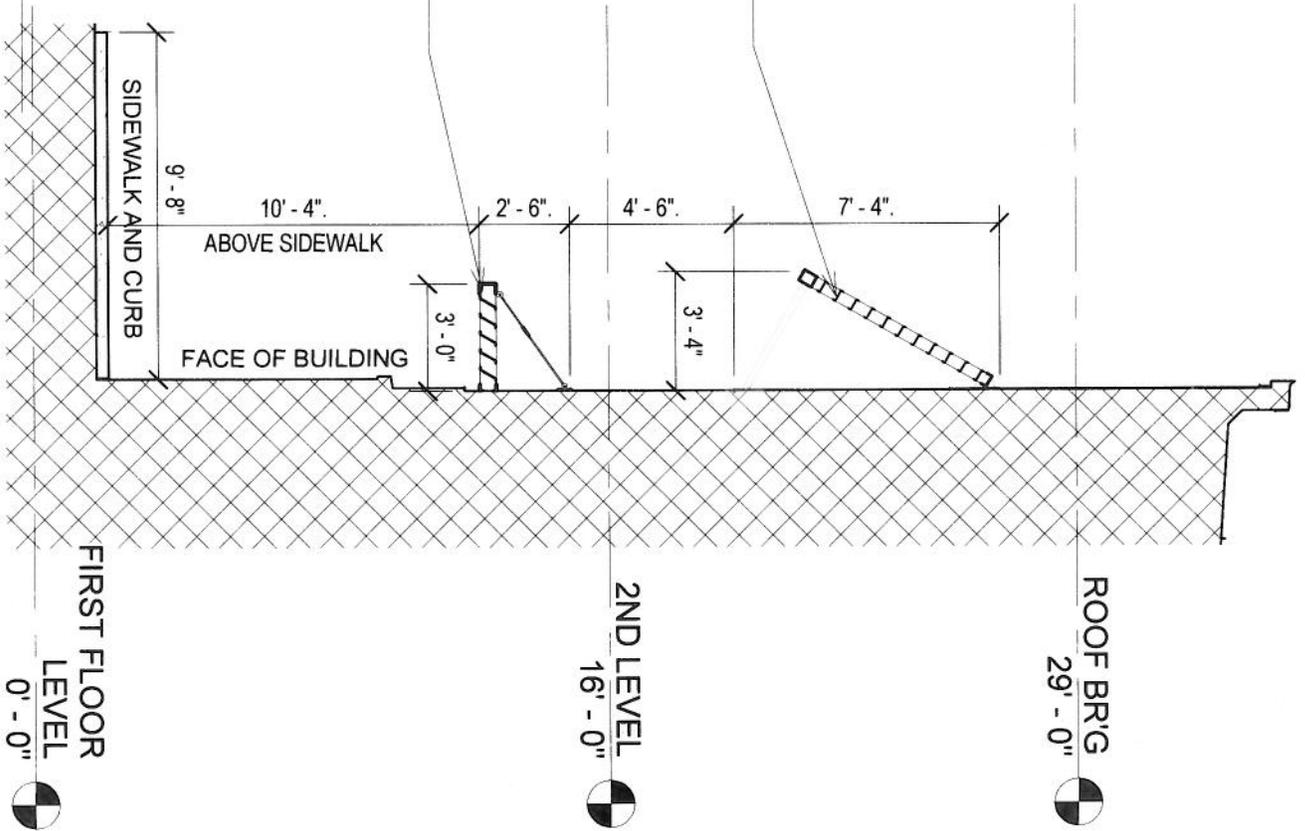
elemi
 architecture
 planning
 urban design

THE CENTER FOR INTEGRATIVE MEDICINE AND CENTER MED SPA

PROJECT NUMBER: 01204
 DATE: 12/20/12

SCALE: 3/16"

1 WILHOIT WALL SECTION
 3/16" = 1'-0"



2 WILHOIT CANTILEVER
 3/16" = 1'-0"

