

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING TACO MAMACITA, LLC C/O MICHAEL MONEN TO USE TEMPORARILY THE SIDEWALK LOCATED AT 122 WEST MAIN STREET FOR THE CONSTRUCTION OF A RAMP, AS SHOWN ON THE MAP AND DRAWINGS 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 TACO MAMACITA, LLC C/O MICHAEL MONEN, (hereinafter referred to as “Temporary User”) be and is hereby permitted to use temporarily the sidewalk located at 122 West Main Street for the construction of a ramp, as shown on the map and drawings 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. The ramp must meet ADA and Chattanooga city standards.

ADOPTED: _____, 2014

/mem

City of Chattanooga



Resolution Request Form

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

Date: May 14, 2014

Preparer: Bert Kuyrkendall *BK*

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 No 131157 at 122 W. Main Street regarding the right-of-way of the sidewalk for the construction of a ramp as shown on the attached map and drawings.

Name of Vendor/Contractor/Grant, etc.	<u>N/A</u>
Total project cost \$	<u>N/A</u>
Total City of Chattanooga Portion \$	<u>N/A</u>
City Amount Funded \$	<u>N/A</u>
New City Funding Required \$	<u>N/A</u>
City's Match Percentage %	<u>N/A</u>

New Contract/Project? (Yes or No)	<u>N/A</u>
Funds Budgeted? (YES or NO)	<u>N/A</u>
Provide Fund	<u>N/A</u>
Provide Cost Center	<u>N/A</u>
Proposed Funding Source if not budgeted	<u>N/A</u>
Grant Period (if applicable)	<u>N/A</u>

List all other funding sources and amount for each contributor.

<u>Amount(s)</u>	<u>Grantor(s)</u>
<u> </u>	<u> </u>

Agency Grant Number

CFDA Number if known

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

Approved by: *[Signature]*

Reviewed by: FINANCE OFFICE

DESIGNATED OFFICIAL/ADMINISTRATOR

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

Memorandum

To: Fritz Brogdon *FB*
From: Ed Bowen
cc: Bertran Kuyrkendall; Brandon Sutton
Date: April 28, 2014
Re: Temporary Usage Request #131157
122 West Main Street
Michael Monen
Taco Mamacita LLC

Recommendations Regarding Temporary Usage Request

I have completed my review of Mr. Monen's request regarding the Temporary Usage of sidewalk on Main Street for the construction of a ramp as shown on the attached map and drawings. My comments are as follows:

- Currently the finished floor is 6" above grade of the sidewalk.
- The ramp will provide a safe transition into the building.

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 this condition.***

- The ramp must meet ADA and Chattanooga city standards.



SR # 830575
WO # 131157

For Office Use Only
Kenneth Johnson
Technician Signature
4/16/14
Date

AWAITING PLANS 4/17/14

14 APR 2014
(DATE)

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

Re: Request for Temporary Usage

Dear Mr. Payne:

This is a request for a temporary usage of SIDEWALK AT MAIN STREET FOR THE CONSTRUCTION OF
A RAMP. 822 W MAIN ST

The reason for this request is as follows:
CURRENTLY THE FINISHED FLOOR IS 6" ABOVE GRADE AT SIDEWALK. RAMP WOULD
PROVIDE SAFE TRANSITION INTO THE BUILDING.

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:
243 SIGNAL MOUNTAIN RD.
CHATTANOOGA, TN 37405
423-421-7708

(email address) AUSTINCHAT@GMAIL.COM

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

Michael Mousen
(Print) Applicant Name

4.14.14
Date

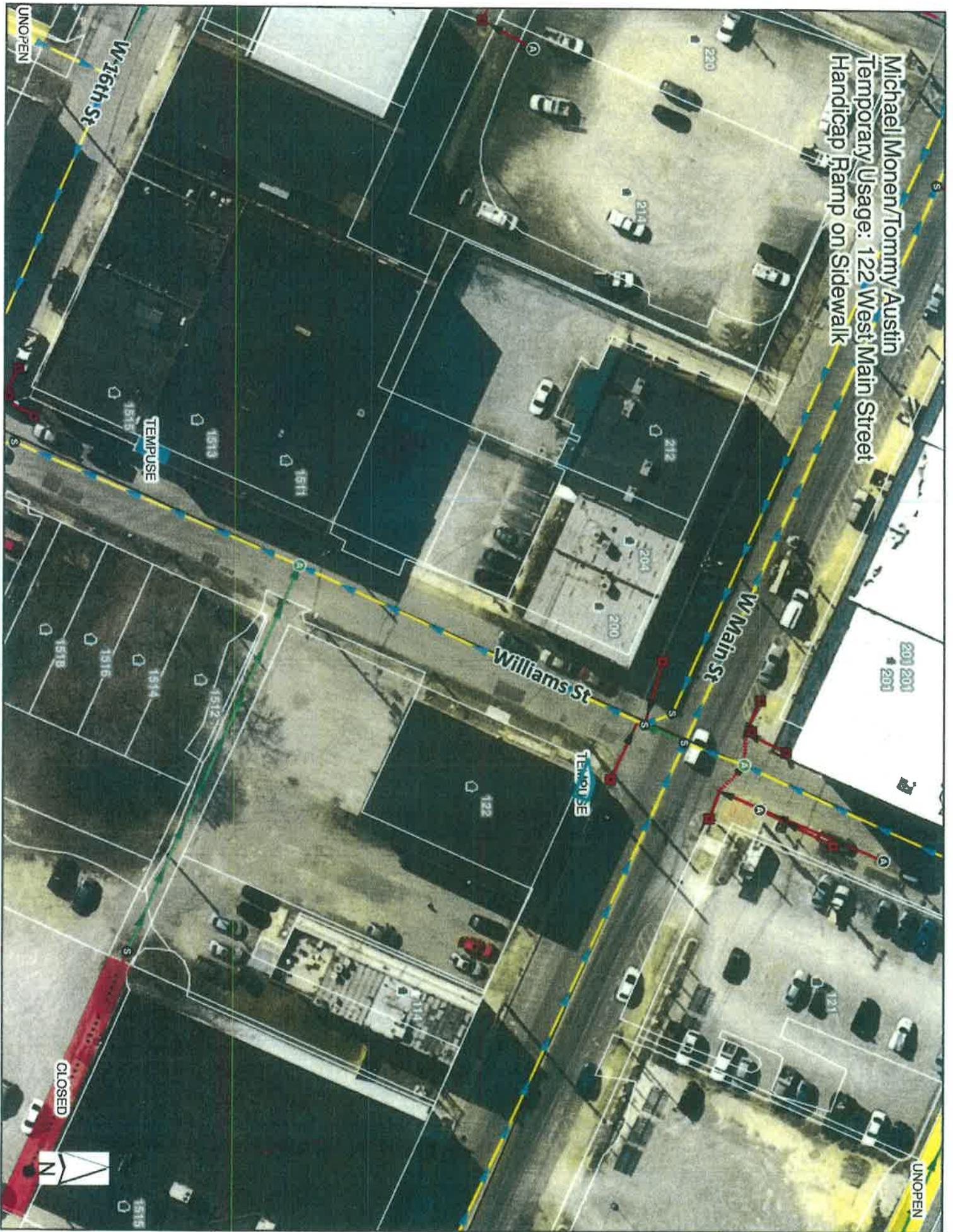
Thomas Austin
(Print) Owner's Name

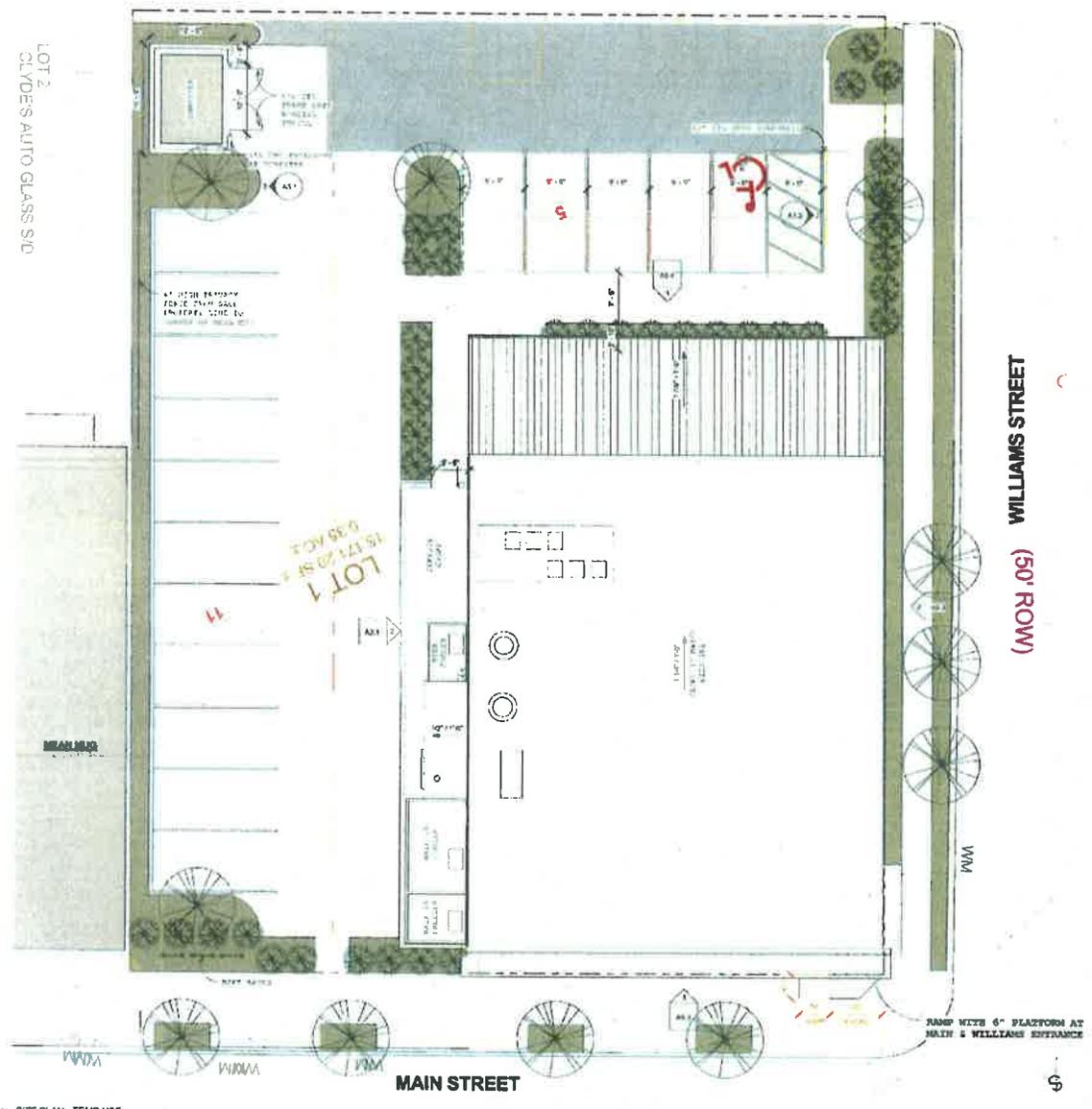
4.14.14
Date

TOMMY AUSTIN

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

Michael Momen/Tommy Austin
Temporary Usage: 122 West Main Street
Handicap Ramp on Sidewalk





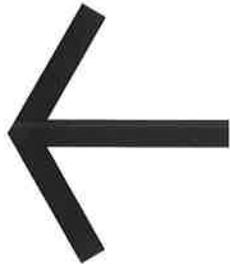
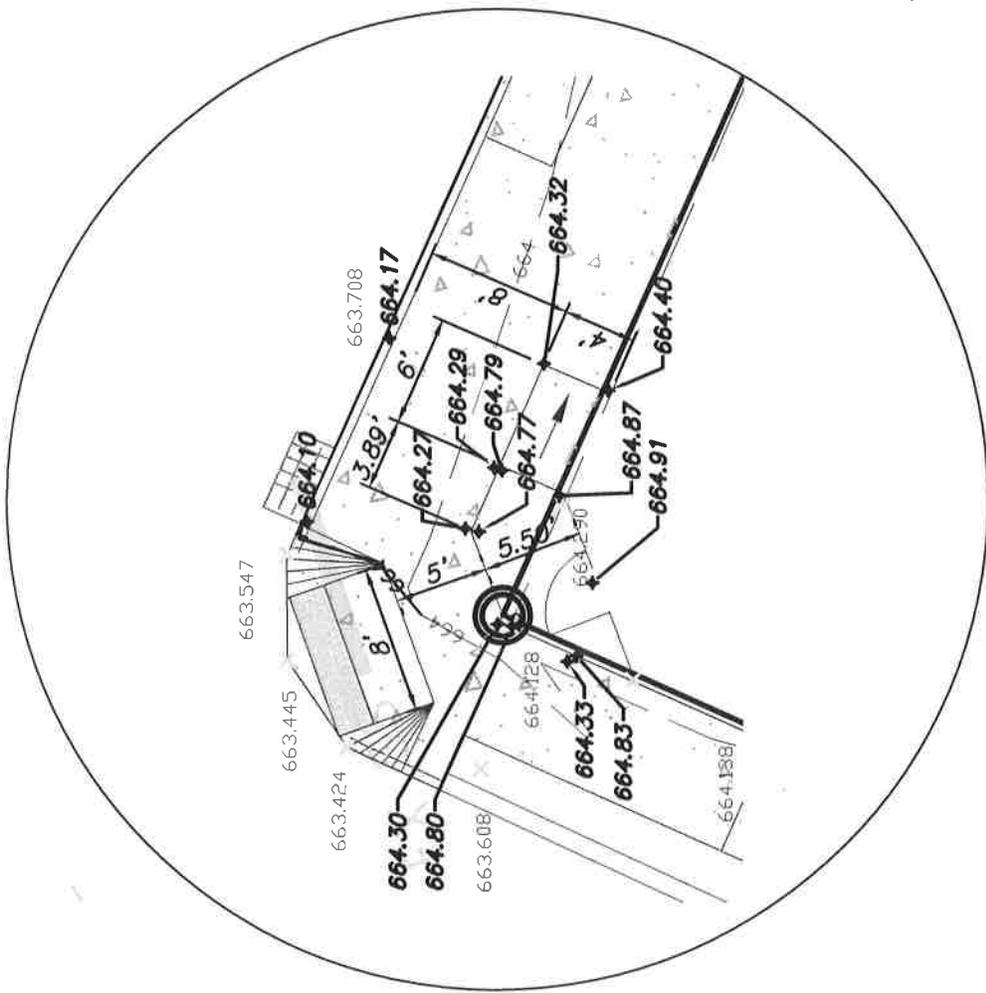
1) SITE PLAN - TEMP USE
1/8" = 1'-0"

100% CONSTRUCTION DOCUMENTS

NO.	DATE	DESCRIPTION
1	10.1	ISSUED FOR PERMITS
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**Clyde's Restaurant/
Bar**
122 West Main Street Chattanooga, TN 37408





NORTH



Scale 1" = 10'

SHEET NUMBER

EXHIBIT

DRAWN
SDB

DATE
5-12-14

REVISION
0

CHECKED
SDB

MAA PROJECT #
13433

REF SHEET
C-4.0

CLYDE'S RESTAURANT
122 W MAIN STREET
EXHIBIT FOR SHARED USE AGREEMENT

March Adams & Associates
Consulting Engineers
310 Dodds Ave.
P.O. Box 3689
Chattanooga, Tennessee 37404
PH: (423)698-6675



14 APR 2014 (Date)

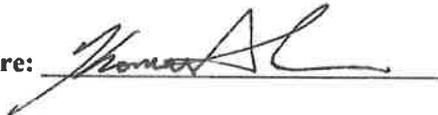
City of Chattanooga
City Engineer
Development Resource Center
1250 Market Street, Suite 2100
Chattanooga, Tennessee 37402

Re: **Acting Agent Letter - Temporary Usage of Right of Way**

Dear City Engineer,

I am formally requesting the City of Chattanooga accept the attached Temporary Usage of Right of Way Application submitted by my Agent CLYDE'S LLC OR PALMER, on my behalf. BUILT ENVIRONMENTS

Applicant Printed Name: THOMAS AUSTIN

Applicant Signature: 

Date: 4.14.14

Agent Printed Name: CLYDE'S LLC OR PALMER BUILT ENVIR.
(MICHAEL MONEN) (THOMAS PALMER)

Agent Signature: 

Date: 4.14.14