

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING S. REGINALD RUFF, III AND VICTOR R. WILLIAMS, SR. TO USE TEMPORARILY THE AIR SPACE ABOVE THE SIDEWALK LOCATED AT 428 EAST M.L. KING BOULEVARD, AS SHOWN ON THE PHOTO 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 S. REGINALD RUFF, III AND VICTOR R. WILLIAMS, SR., (hereinafter referred to as “Temporary Users”) be and are hereby permitted to use temporarily the air space above the sidewalk located at 428 East M.L. King Boulevard, as shown on the photo 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 Users 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 applicants by the Chattanooga City Council. Temporary Users agree 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 Users agree to vacate the property and temporary use upon reasonable notice from the City to do so.

3. Temporary Users shall provide adequate access for maintenance of any utilities located within the easement.

4. The distance of the bottom of the lights and sign above the sidewalk must meet 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: July 15, 2014

Preparer: Bert Kuyrkendall

Department: Transportation

Brief Description of Purpose for Resolution:

Resolution Number (if approved by Council): _____ District 8

A City Council Action is requested to authorize Temporary Usage No. 134023, for S. Reginald Ruff III/Victor R. Williams, Sr. of air space above the sidewalk as shown on the attached photo and drawings.

| | | | |
|---------------------------------------|-----|---|-----|
| 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:  DESIGNATED OFFICIAL/ADMINISTRATOR

Reviewed by: FINANCE OFFICE

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

Memorandum

To: Fritz Brogdon *FB*
From: Ed Bowen *EB*
cc: Bertran Kuyrkendall; Brandon Sutton *BS*
Date: July 10, 2014
Re: Temporary Usage Request #134023
428 East MLK Blvd. (District 8)
S. Reginald Ruff III/Victor R. Williams, Sr.

Recommendations Regarding Temporary Usage Request

I have completed my review of Mr. Ruff 's request regarding Temporary Usage of air space above the sidewalk as shown on the attached photo and drawings. My comments are as follows:

- The lights will protrude approximately 24" into the sidewalk air space.
- The sign will protrude approximately 5.5' into the sidewalk air space.

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 distance of the bottom of the lights and sign above the sidewalk must meet Chattanooga city standards.



SR# 856744
WO# 134023

For Office Use Only
[Signature]
Technician Signature
6/17/14
Date

6/17/14
(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 AIR SPACE ABOVE SIDEWALK.

The reason for this request is as follows:

LIGHTS WILL PROTRUDE APPROX 24" INTO THE SIDEWALK AIRSPACE.
PROPERTY AT 428 E. MLK. BLD.

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:

1513 VANCE AVE, CHATTANOOGA, TN 37404

423 593-9402 (email address) V.W. ELECTRIC@hotmail.com

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

S. REGINA PUFF IV 6/17/14
(Print) Applicant Name Date

Victor Williams Sr. 6/17/14
(Print) Owner's Name Date

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

INDEMNIFICATION AGREEMENT

This Indemnification Agreement is entered into by and between THE CITY OF CHATTANOOGA, TENNESSEE (hereinafter the "City"), and S. REGINALD RUFF, III and VICTOR R. WILLIAMS, SR. (hereinafter "Temporary Users"), this 18th day of July, 2014.

For and in consideration of the granting of the temporary usage of the right-of-way located at 428 East M.L. King Blvd. for air space above the sidewalk as shown on the attached photo and drawings attached hereto and made a part hereof by reference (if applicable), Temporary Users agree as follows:

1. Temporary Users 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 applicants by the Chattanooga City Council. Temporary Users agree 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 Users 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 Users shall restore the property to its original condition when it is returned to the City.

3. Temporary Users shall provide adequate access for maintenance of any utilities located within the easement.

4. The granting of temporary use shall be subject to any restrictions, limitations, or conditions stipulated in the Resolution adopted by City Council granting temporary usage.

5. The distance of the bottom of the lights and sign above the sidewalk must meet Chattanooga city

standards.

7-18-2014, 2014
Date

BY: S. Reginald Ruff, III
S. Reginald Ruff, III

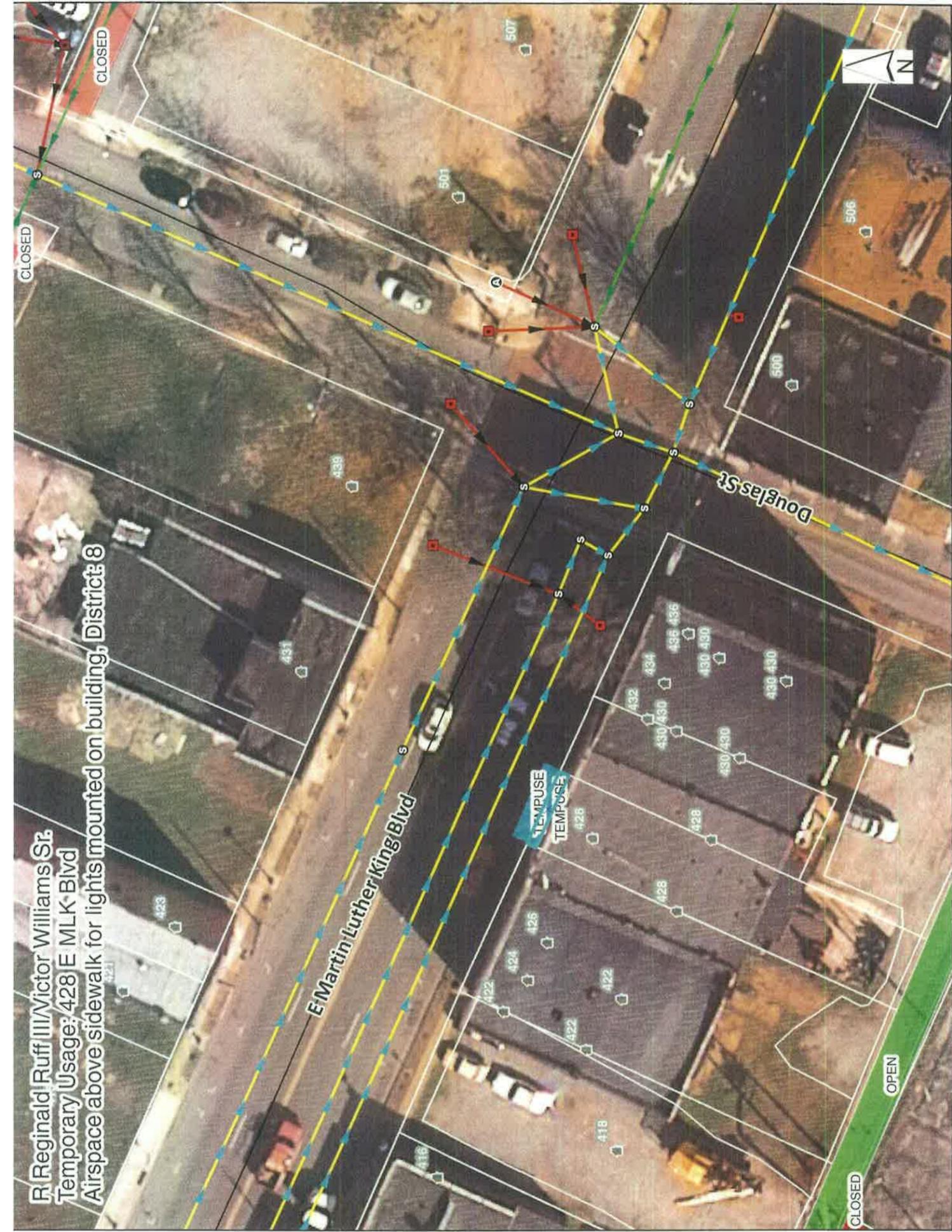
BY: Victor R. Williams, Sr.
Victor R. Williams, Sr.

CITY OF CHATTANOOGA, TENNESSEE

_____, 2014
Date

BY: _____
Andy Berke, Mayor

R Reginald Ruff III/Victor Williams St.
Temporary Usage: 428 E MLK Blvd
Airspace above sidewalk for lights mounted on building, District: 8



6/17/14 (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 S. REGINALD RUFF III, on my behalf.

Applicant Printed Name: Victor R. Williams

Applicant Signature: Victor R. Williams Date: 6/17/14

Agent Printed Name: S. REGINALD RUFF III

Agent Signature: S. Reginald Ruff III Date: 6/17/14

428 M.L. KING STOREFRONT RENOVATION

428 M.L. KING BOULEVARD
CHATTANOOGA, TN 37403
PROJECT NO.: 01328.00



ARCHITECT
SRR & ASSOCIATES, PC
1027 M. L. KING BLVD.
CHATTANOOGA, TN 37403
S. REGINALD RUFF, III
(423) 266-0163

GENERAL NOTES

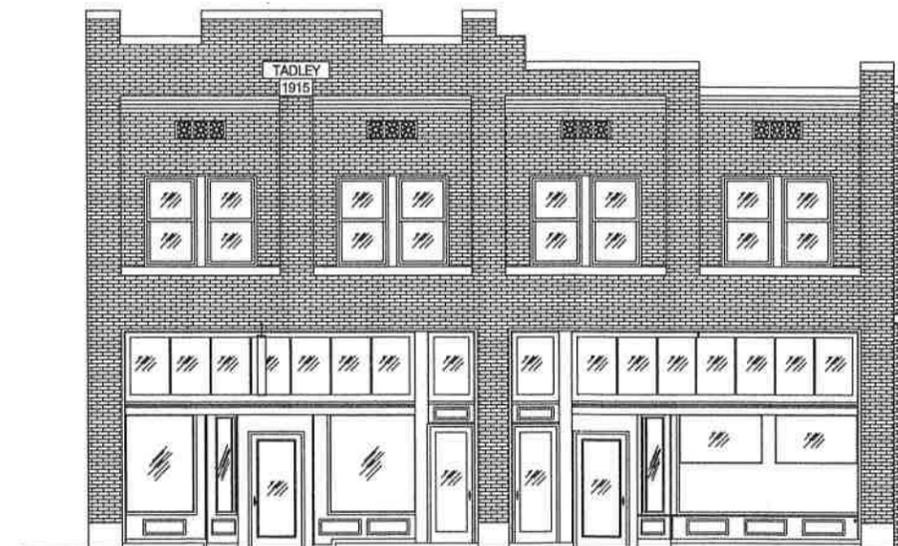
- IT IS THE RESPONSIBILITY OF THE CONTRACTOR AND SUBCONTRACTOR TO VISIT THE SITE AND FIELD VERIFY NEW AND EXISTING CONDITIONS AND DIMENSIONS PRIOR TO BIDDING AT START OF AND DURING CONSTRUCTION. DO NOT SCALE DRAWINGS.
- IT IS THE RESPONSIBILITY OF THE GENERAL CONTRACTOR TO VERIFY NOTES ON THE DRAWINGS REFERENCING "MATCH EXISTING" OR "FIELD VERIFY".
- REMOVE ALL CONSTRUCTION DEBRIS, TRASH AND WASTE MATERIAL DAILY TO MAINTAIN A VACUUM-CLEAN AND FREE FROM DEBRIS CONSTRUCTION SITE. CLEAN ALL DUST, DIRT, STAINS, HAND MARKS, PAINT SPOTS, DROPPINGS, AND ANY OTHER BLEMISHES CAUSED DURING CONSTRUCTION.
- ALL WORK IS TYPICAL IF SHOWN ON ONE DRAWING BUT NOT SHOWN ON ALL DRAWINGS, THE WORK IS REQUIRED FOR ALL.
- ALL WORK SHALL BE INSTALLED IN ACCORDANCE WITH THE MOST STRINGENT MANUFACTURER'S STANDARD DETAILS, RECOMMENDATIONS, AND/OR REQUIREMENTS.
- IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO VERIFY CONFLICTS ON THE DRAWINGS AND SPECIFICATIONS DURING BIDDING AT START OF AND DURING CONSTRUCTION. THE ARCHITECT WILL HAVE THE SOLE RESPONSIBILITY OF INTERPRETING SCOPES OF WORK FOUND BY THE CONTRACTOR TO BE UNCLEAR DURING CONSTRUCTION. SUBMIT RFI IN WRITING TO ARCHITECT PRIOR TO BID OPENING.
- GENERAL CONTRACTOR TO PROVIDE SHOP DRAWINGS AS CUSTOMARY FOR ARCHITECT'S APPROVAL.
- IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO OBTAIN ALL PERMITS BEFORE THE START OF CONSTRUCTION.
- COORDINATE ALL CONSTRUCTION WITH OWNER'S BUSINESS OPERATION SCHEDULE. BUSINESS WILL REMAIN IN OPERATION DURING CONSTRUCTION.

ARCHITECTURAL

| | |
|-------|--|
| CS | COVER SHEET AND SITE PLAN |
| D.1 | DEMOLITION ELEVATION |
| A.1 | EXISTING ELEVATION AND NORTH ELEVATION |
| A.1.1 | ENLARGED STOREFRONT AND STOREFRONT PLAN |
| A.1.2 | STOREFRONT DETAIL PLAN, WINDOW AND DOOR SCHEDULE, AND WINDOW NOTES |
| A.1.3 | STOREFRONT SECTION DETAILS |

ABBREVIATIONS

| | |
|----------|-------------------------|
| O.C. | ON-CENTER |
| CONC. | CONCRETE |
| VCT | VINYL COMPOSITE TILE |
| GYP. BD. | GYPSUM BOARD |
| RB | RUBBER BASE |
| AC | ACOUSTICAL CEILING TILE |
| CPT | CARPET |
| FRP | FIRE RESISTANT PANELS |
| TYP. | TYPICAL |
| C.TILE | CERAMIC TILE |
| NO. | NUMBER |
| NIC | NOT IN CONTRACT |



SRR & ASSOCIATES, PC
1027 M.L. KING BLVD.
CHATTANOOGA, TN 37403

428 MLK STOREFRONT
428 M.L. KING BLVD
CHATTANOOGA, TENNESSEE 37403

| NO. | DATE | REVISION | DESCRIPTION |
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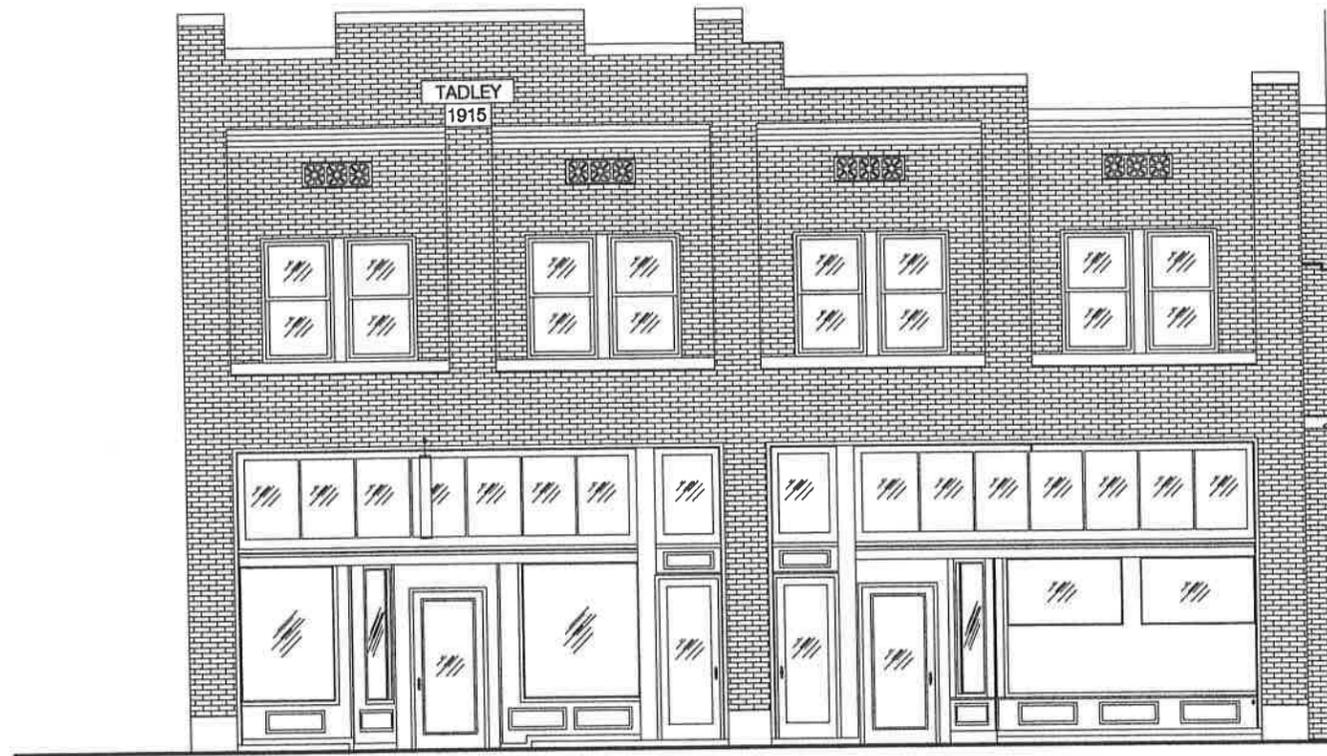
JOB NO. 01328.00

DATE

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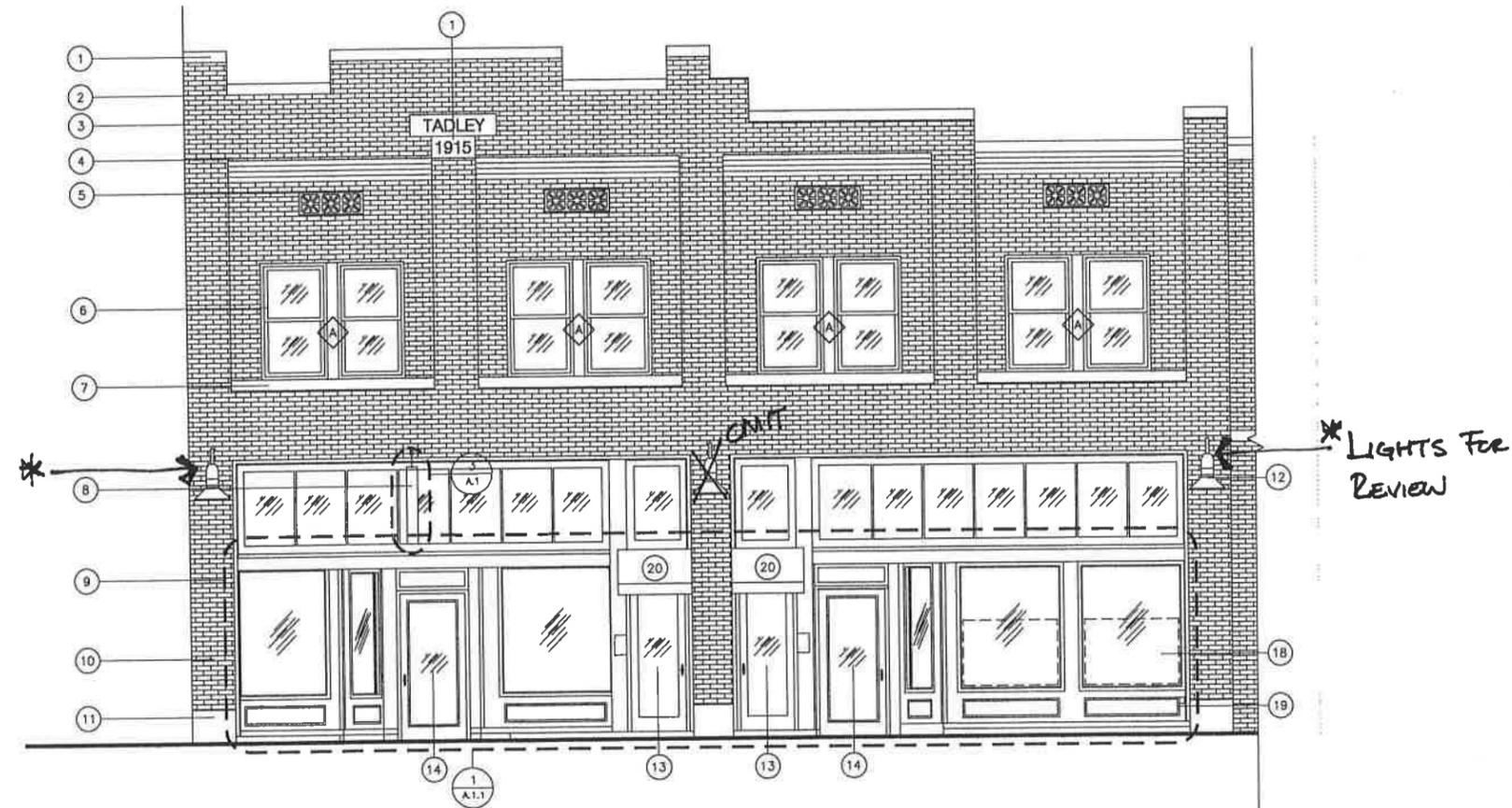
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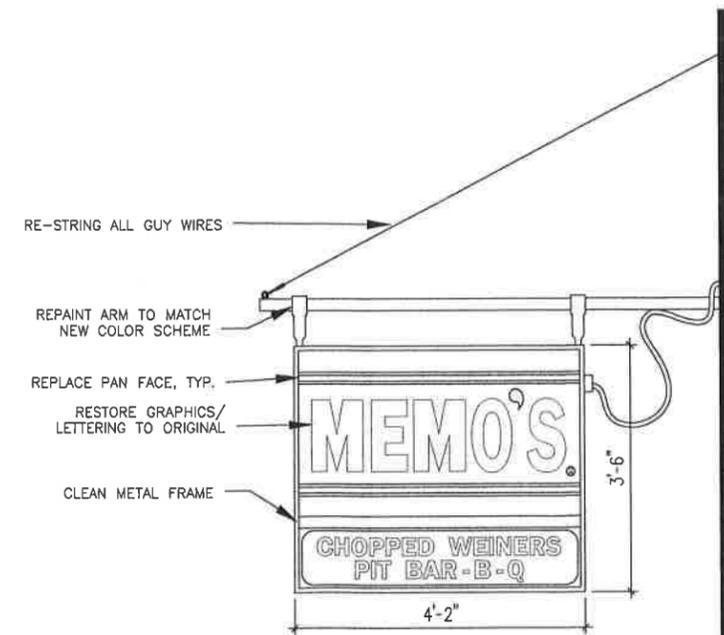


1 EXISTING ELEVATION
SCALE: 1/4" = 1'-0"

1. REMOVE PAINT WITH PAINT & PEEL, PRESSURE WASH STONE CAPS, AND CORNERSTONES.
2. TUCK/POINT ALL MASONRY JOINTS.
3. REMOVE ALL EXISTING PAINT WITH PAINT & PEEL
4. TUCK/POINT ALL MASONRY AS NECESSARY
5. PAINT GRILLES, TYP.
6. REPLACE ALL UPPER STORY WINDOWS WITH CLAD MARVIN ASSEMBLY RO 78 3/4" X 73 1/4" IN "COBALT"
7. PRESSURE WASH STONE WINDOW SILLS
8. SIGN TO BE RESTORED. ARCHITECT HAS PROPOSAL FOR SIGN FACE RESTORATION. PAINT FRAME, ARM AND REPAIR GUY WIRES
9. REPLACE STOREFRONT BELOW CLERESTORY AS NOTED. SEE DRAWING A.1.2.
10. REMOVE PAINT WITH PEEL & PAINT, FOLLOW MANUFACTURER'S TEMPERATURE REQUIREMENTS FOR PRODUCT
11. PRESSURE WASH ALL BRICK AND STONE
12. INSTALL LUMINIS SR115 LED LAMPS AT COLUMN, TYPICAL. TIE TO CIRCUIT IN RESTAURANT AND INSTALL LIGHTS ON PHOTO CELL.
13. REPLACE EXISTING DOORS WITH CLAD MARVIN ASSEMBLY RO 29 1/2" X 82" IN "COBALT"
14. REPLACE EXISTING DOORS WITH CLAD MARVIN ASSEMBLY RO 36" X 81" IN "COBALT"
15. PRIOR TO PAINTING WOOD STOREFRONT TO REMAIN, CAULK AT ALL JOINTS AND WHERE WOOD IS BUILT UP TO MASONRY. ARCHITECT TO APPROVE CAULKING PRIOR TO POINT.
16. ALL PAINTING IS A PRIMER AND TWO (2) COATS OF EXTERIOR GRADE PAINT. SUBMIT FOR APPROVED PRODUCT DATA ON PAINT WITH BID. USE CORRECT PAINT FOR EACH MATERIAL.
17. ARCHITECT HAS PROPOSAL FOR SIGN RESTORATION.
18. INTERIOR WINDOW DECAL. ARCHITECT HAS PROPOSAL FOR WORK.
19. NEW TRIM, REFER TO DRAWING A.1.2.
20. NEW AWNINGS. ARCHITECT HAS PROPOSAL FOR WORK.



2 NORTH ELEVATION
SCALE: 1/4" = 1'-0"



3 SIGN FACE, TYP.
SCALE: 3/4" = 1'-0"

SRR & ASSOCIATES, PC
1027 M.L. KING BLVD.
CHATTANOOGA, TN 37403
423-266-0163

428 MLK STOREFRONT
428 M.L. KING BLVD
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JOB NO. 01328.00

DATE

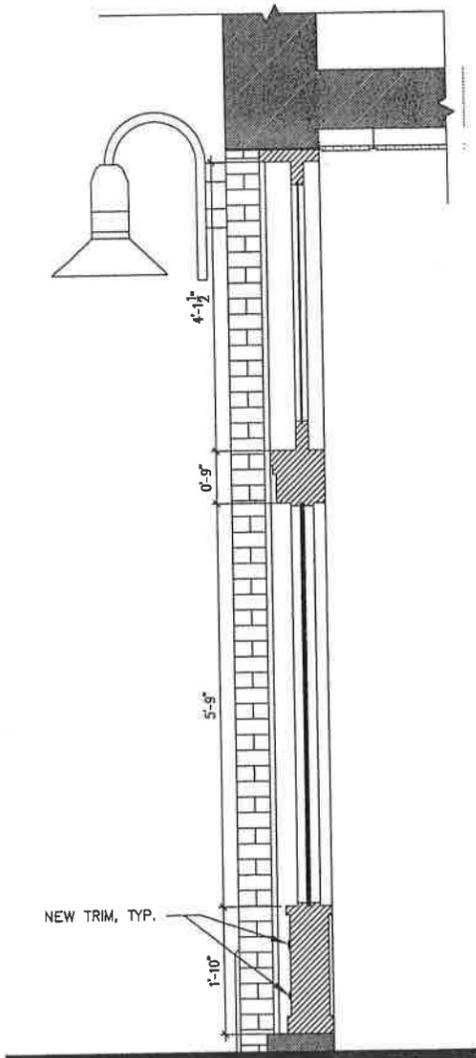
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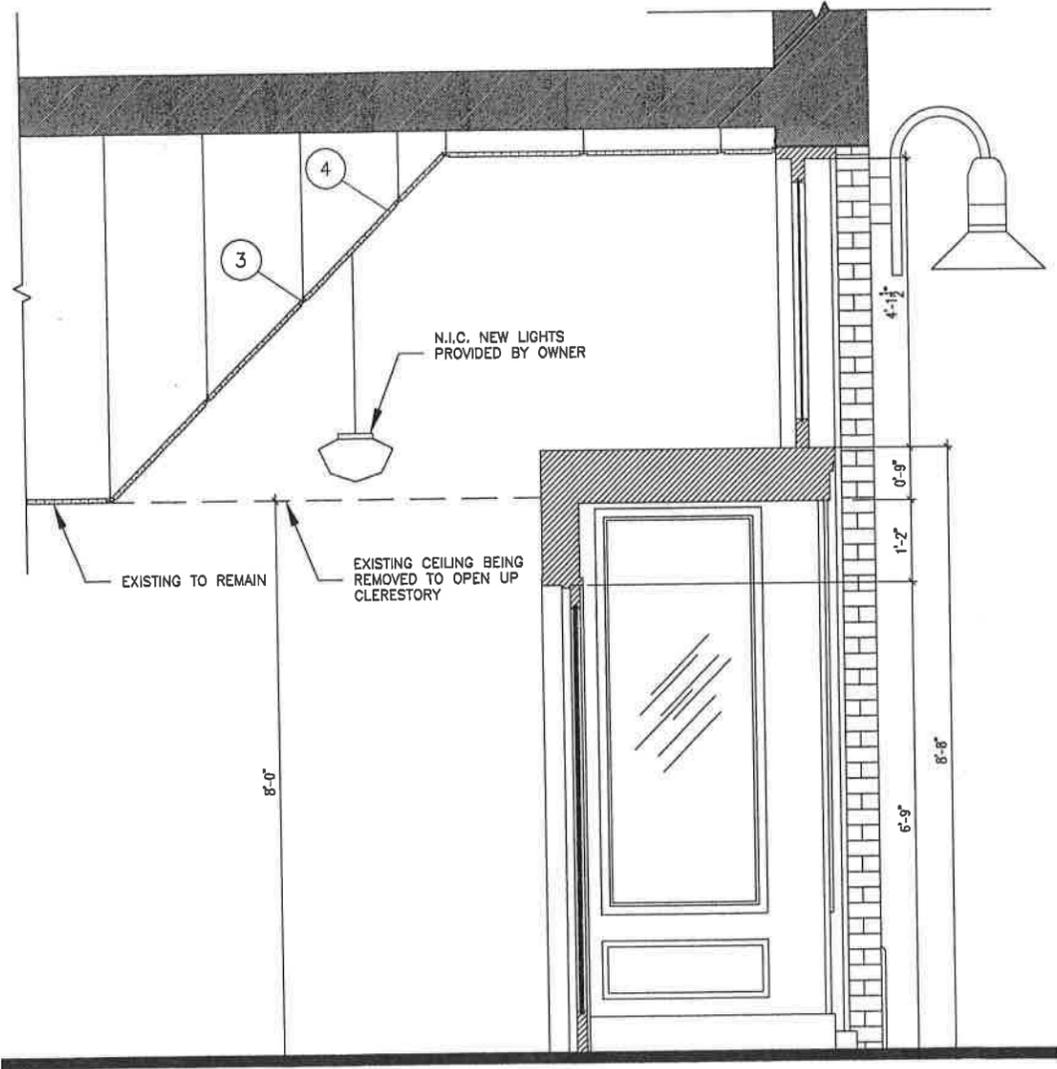
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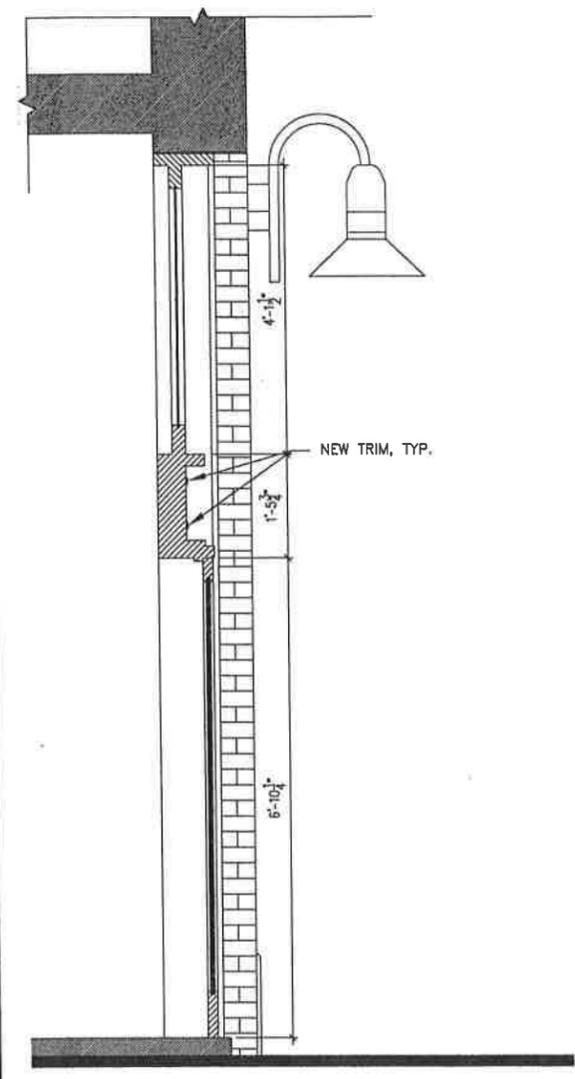
A.1



1 STOREFRONT SECTION
SCALE: 3/4" = 1'-0"



2 STOREFRONT SECTION
SCALE: 3/4" = 1'-0"



3 STOREFRONT SECTION
SCALE: 3/4" = 1'-0"

- STOREFRONT NOTES**
1. REFER TO DRAWINGS A.1 & A.1.1 FOR SCOPE OF WORK.
 2. SECTIONS SHOWN ARE FOR INFORMATIONAL PURPOSES.
 3. TIE NEW ACOUSTICAL CEILING TO EXISTING STRUCTURE.
 4. NEW ACOUSTICAL CEILING TO MATCH EXISTING.

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