

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING COGENT STUDIO LLC C/O THOMAS PALMER AGENT FOR PROPERTY OWNERS BYD BROAD AND KEVIN BOEHM TO USE TEMPORARILY THE RIGHT-OF-WAY OF THE UNOPENED ALLEY IN THE REAR OF THE BUILDING LOCATED AT 1616 BROAD STREET TO PAVE THE ALLEY WITH CONCRETE AND PROVIDE A CHAIN LINK FENCE WITH A GATE FOR INGRESS AND EGRESS TO FACILITATE HAND TRUCK DELIVERIES FROM 17TH STREET, 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 COGENT STUDIO LLC C/O THOMAS PALMER AGENT FOR PROPERTY OWNERS BYD BROAD AND KEVIN BOEHM, (hereinafter referred to as “Temporary User”) be and is hereby permitted to use temporarily the right-of-way of the unopened alley in the rear of the building located at 1616 Broad Street to pave the alley with concrete and provide a chain link fence with a gate for ingress and egress to facilitate hand truck deliveries from 17th Street, 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. Temporary User shall provide adequate access for maintenance of any utilities located within the easement.

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

5. Temporary User must respect any and all existing streetscaping along 17th Street.

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: _____, 2015

/mem

City of Chattanooga



Resolution Request Form

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

Date Prepared: March 20, 2015

Preparer: Bert Kuyrkendall

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 Request #146092 for Thomas Palmer of Cogent Studio LLC, agent for the property owner, Byd Broad, Kevin Boehm, for the temporary usage of the right-of-way of the unopen alley in the rear of the building located at 1616 Broad Street to pave the alley with concrete and provide a chain-link fence with a gate for ingress and egress to facilitate hand truck deliveries from 17th Street.

APPROVED WITH CONDITIONS

Total project cost \$ N/A
Total City of Chattanooga Portion \$ N/A
City Amount Funded \$ N/A
New City Funding Required \$ N/A
City's Match Percentage % N/A

New Contract/Project? (Yes or No) N/A
Provide Fund N/A
Provide Cost Center N/A
Proposed Funding Source N/A
Grant Period (if applicable) N/A

List all other funding sources and amount for each contributor.

Gracioris

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: Brandon Sutton ^{BS}
From: Kari Lawman
cc: Bert Kuyrkendall
Date: March 19, 2015
Re: Temporary Usage Request # 146092
Thomas Palmer (Cogent) for Kevin Boehm (Byd Broad)
1616 Broad Street (District 7)

RECOMMENDATION: APPROVAL WITH CONDITIONS

This application was received on March 6, 2015, from Thomas Palmer of Cogent Studio LLC, agent for the property owner, Byd Broad, Kevin Boehm. The application is requesting the usage of right-of-way in the rear of the building located at 1616 Broad St. The application states that there is a plan to pave the alley with concrete and provide a chain-link fence with a gate for ingress and egress. The applicant is requesting the temporary usage in order to facilitate hand truck deliveries from 17th St.

The City of Chattanooga has sewer infrastructure in the immediate area of the requested usage.

Therefore, I recommend the request for *Temporary Usage be granted with the following conditions:*

- *The applicant shall obtain necessary permits and approvals from the city of Chattanooga Land Development Office.*
- *The applicant must respect any and all existing streetscaping along 17th Street.*
- *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.*



5 MARCH 2015
(DATE)

For Office Use Only
MAR 06 2015
Technician Signature 146092

Bertran Kuyrkendall, P.E.
Transportation Engineer
Development Resource Center
1250 Market Street, Suite 3000
Chattanooga, Tennessee 37402

PD # 110
CK 117230
REC 226144

Re: Request for Temporary Usage

Dear Mr. Kuyrkendall:

This is a request for a temporary usage of THE REAR UNOPEN ALLEY ON THE EAST SIDE OF THE PROPERTY AT 1616 BROAD ST.

The reason for this request is as follows:

WE PROPOSE TO PAVE THE ALLEY W/ CONCRETE AND PROVIDE A CHAINLINK FENCE W/ A GATE FOR EGRESS TO FACILITATE HAND TRUCK DELIVERIES FROM 17TH ST.

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 agrees to comply with any and all conditions recommended by the City Transportation Engineer and/or City Transportation Department and approved by the Chattanooga City Council during the review of this application. The failure to comply with any condition approved by the City Council may be grounds for revocation of this temporary use at any time after its approval
3. 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.
4. Temporary User will provide full access for maintenance of any utilities located within the easement.
5. Temporary User will obtain any and all other permits, variances, or approvals necessary to accommodate the temporary use.
6. 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.
7. 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:

BYD BROAD, GP
715 BEARD STREET, SUITE 305
Chattanooga Tennessee 37402

THOMAS@COGNIT-BUILD
(email address) KEVIN@BOENHARKE.COM

THOMAS PALMER
(Print) Applicant Name

[Signature]
(Sign) Applicant Name

3-5-2015
Date

Kevin Boenharke
(Print) Owner's Name BYD BROAD, GP

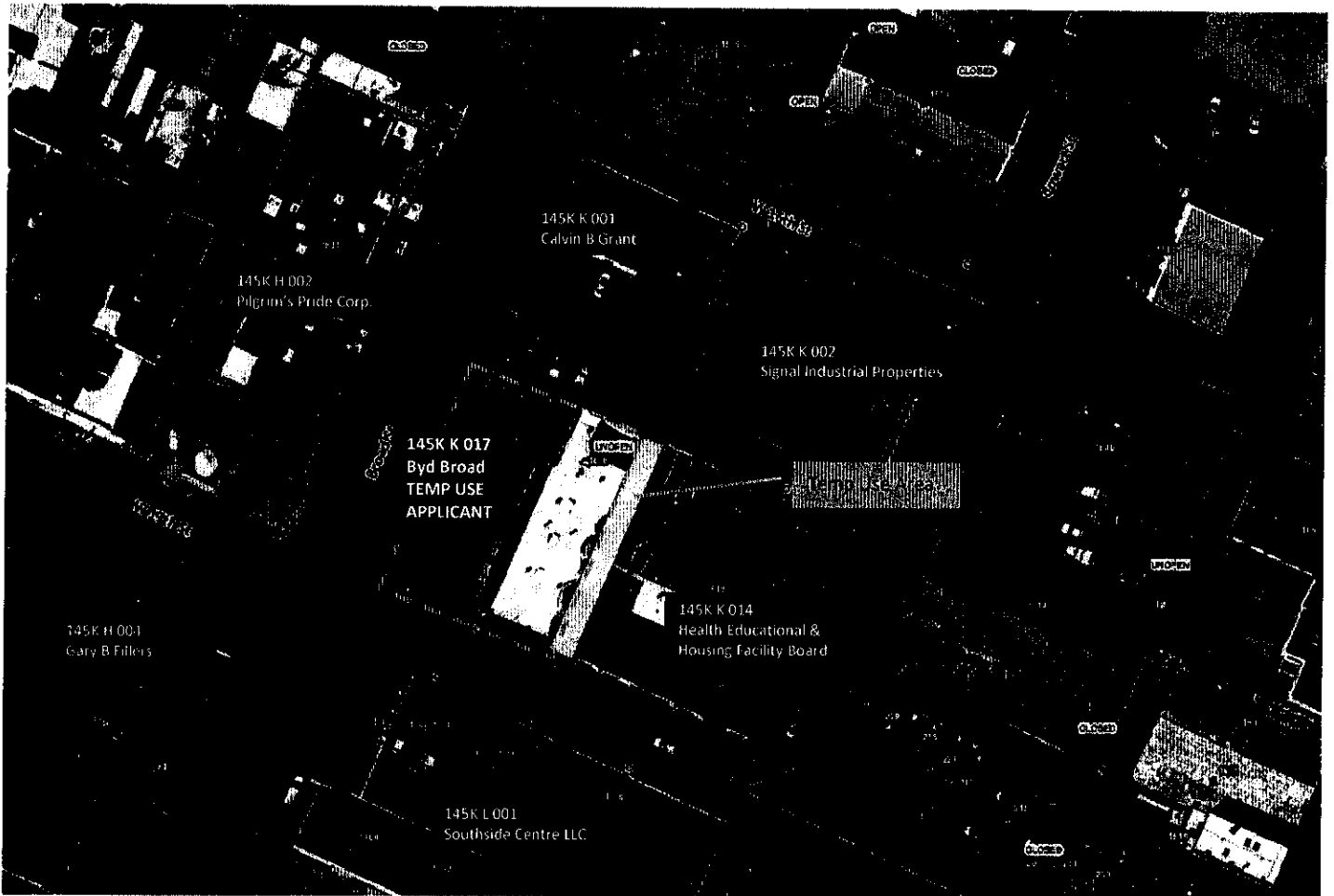
[Signature]
(Sign) Owner's Name

3-5-15
Date

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

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

Request for Temporary Usage # (District 7)
Thomas Palmer (Cogent Studio LLC) for Kevin Boehm (BYD BROAD)
1616 Broad Street



05 March 2015

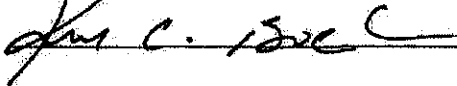
City of Chattanooga
City Engineer

Development Resource Center
1250 Market St, Suite 2100
Chattanooga, TN 37402

Dear City Engineer,

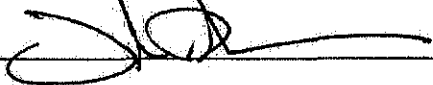
I am formally requesting the City of Chattanooga accept the attached Temporary Usage Right of Way Application submitted by my Agent, **Cogent Studio, LLC**, on my behalf.

Applicant Printed Name: KEVIN C. BOEHM

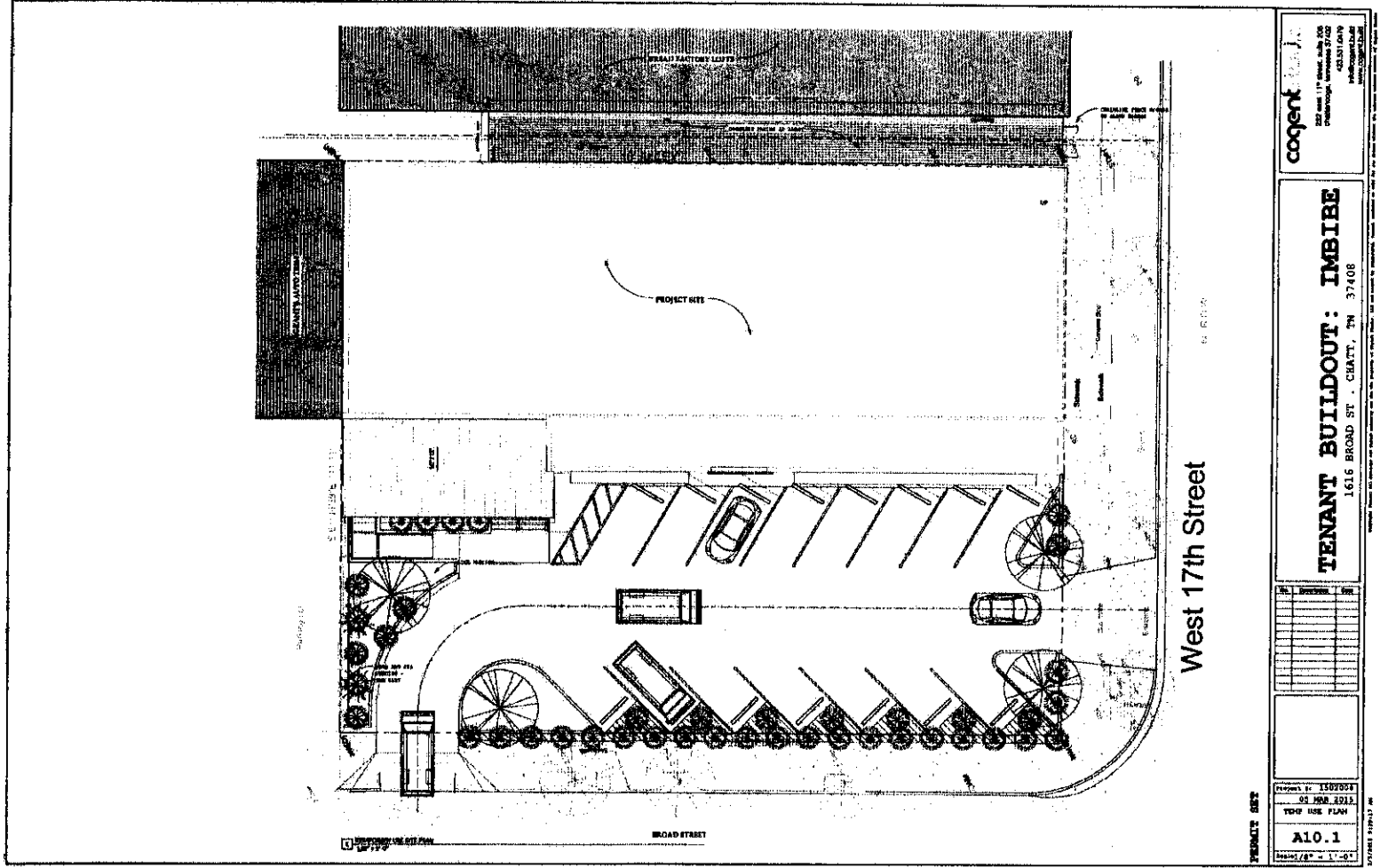
Applicant Signature: 

Date: 3.5.15

Agent Printed Name: THOMAS PALMER

Agent Signature: 

Date: 3.5.2015



coagent
 222 West 17th Street, Suite 200
 Chattanooga, TN 37408
 423.263.1000
 www.coagent.com

TENANT BUILDOUT: IMBIBE
 1616 BROAD ST. CHATT, TN 37408

NO.	REVISION	DATE

PROJECT # 1507054
 02 MAR 2015
 TGD USE PLAN
A10.1
 1/8" = 1'-0"

PERMIT SET

West 17th Street

BROAD STREET