

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING PASSPOINTE ENGINEERING C/O JAN PASS, AGENT FOR THE PROPERTY OWNER, JASMINE PATEL, TO USE TEMPORARILY THE RIGHT-OF-WAY LOCATED AT 216 MARKET STREET IN FRONT OF THE BUILDING TO BE ERECTED TO INSTALL A TWENTY-NINE (29) FOOT WIDE CANOPY THAT WILL EXTEND INTO THE RIGHT-OF-WAY FOUR AND ONE TENTH (4.1) FEET FROM THE PROPERTY LINE, 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 PASSPOINTE ENGINEERING C/O JAN PASS, AGENT FOR THE PROPERTY OWNER, JASMINE PATEL (hereinafter referred to as “Temporary Users”) be and are hereby permitted to use temporarily the right-of-way located at 216 Market Street in front of the building to be erected to install a twenty-nine (29) foot wide canopy that will extend into the right-of-way four and one tenth (4.1) feet from the property line, 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 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 applicant 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. Temporary Users shall obtain necessary permits and approvals from the City of Chattanooga Land Development Office.

5. Each canopy, from its base to the top of the existing surface/sidewalk, shall be no less than eight (8) feet, zero inches (8'-0") per the City of Chattanooga's Codes and Standards (Section 32-8).

6. Temporary Users 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/Ordinance Request Form

Date Prepared: May 22, 2015

Preparer: Bert Kuyrkendall

Department: Transportation

Brief Description of Purpose for Resolution/Ordinance: Res./Ord. # _____ Council District # 7

A City Council Action is requested to authorize Temporary Usage Request #148344 for Jan Pass of Passpointe Engineering, agent for the property owner Jasmine Patel, for the temporary usage of the right-of-way in front of the building to be erected at 216 Market Street to install a 29 foot wide canopy that will extend into the right-of-way 4.1 feet from the property line.

APPROVED WITH CONDITIONS

Name of Vendor/Contractor/Grant, etc.	_____	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

Revised: October, 2011

Memorandum

To: Brandon Sutton *BS*
From: Kari Lawman
cc: Bert Kuyrkendall
Date: May 8, 2015
Re: Temporary Usage Request # 148344
Jan Pass (Passpointe Eng.) for Jax Liquor Store (Jasmine Patel)
216 Market Street (District 7)

RECOMMENDATION: APPROVAL WITH CONDITIONS

This application was received on May 7, 2015, from Jan Pass of Passpointe Engineering, agent for the property owner, Jasmine Patel. The business, Jax Liquor Store, is located in the building on the property, but will be rebuilt as shown in the attached drawing. The application is requesting the usage of right-of-way in the front of the building facing Market Street. The application states that there is a plan to install a 29' wide canopy for ingress/egress that will extend into the right-of-way 4.1' from the property line.

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:***

- The applicant shall obtain necessary permits and approvals from the City of Chattanooga Land Development Office.
- Each canopy, from its base to the top of the existing surface/sidewalk, shall be no less than eight feet, zero inches (8'-0") per the City of Chattanooga's Codes and Standards (Section 32-8).
- 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.



For Office Use Only

Khawman

Technician Signature 148344

(DATE)

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

Re: Request for Temporary Usage

Dear Mr. Kuyrkendall:

This is a request for a temporary usage of 1) 3' of ROW starting ~56' North of property corner E 3rd/Market Street following North along Market Street for ~29'

The reason for this request is as follows:

- 1) To provide an ingress/egress canopy to the proposed Jax Liquor Store building for weather protection and aesthetics.

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:

2719 Hickory Valley Rd, Ste B, Chattanooga, TN 37421 (423-451-6601)

(email address) janpass@passpointe.com

Passpointe Engineering/Jan Pass

(Print) Applicant Name

Jan Pass
 (Sign) Applicant Name

4/29/15

Date

Jasmine Patel

(Print) Owner's Name

Jasmine Patel
 (Sign) Owner's Name

4-29-15

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)

_____ (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 Passpointe Engineering/Jan Pass, on my behalf.

Applicant Printed Name: Jasmine Patel

Applicant Signature: 

Date: 4-29-15

Agent Printed Name: Passpointe Engineering/Jan Pass

Agent Signature: 

Date: 4/29/15

Request for Temporary Usage # 148344 (District 7)
Jax Liquor Store (Jasmine Patel)
216 Market Street

135M A 005
Moses Marguerite R

135M A 013.09
Rodgers Thurman & June

135M A 013.08
Sudderth Brenda Niel

135M A 013.07
Hitchcock Frederick & Pamela

135M A 013.06
Oldham Roberte E Jr

135M A 013.05
Rohm Stephen & Teresa

135M A 013.04
Rohn Stephen G

135M A 013.03
Potluri Prabhu & Padma

135M A 013.02
Arant Charles L

135M A 013.01
Watson Beverly L

135M A 002.02
Broad St Land Co LLC

Temp Use Area

135M A 004
JJMP GP

Proposed Building Site

135M A 002.03
Broad St Land Co LLC

135M A 002.01
Sixth St Limited Partnership

135MA A 001
Sports Barn LLC

135 MA B 001
Sports Barn LLC

