

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING PASSPOINTE ENGINEERING C/O JAN PASS, AGENT FOR THE PROPERTY OWNER, VISION WALNUT STREET, LLC TO USE TEMPORARILY THE RIGHT-OF-WAY LOCATED ALONG WALNUT STREET, AQUARIUM WAY, AND RIVERFRONT PARKWAY IN FRONT OF 102 WALNUT STREET FOR CONSTRUCTION OF CONCRETE BUILDING FOOTINGS BELOW STREET LEVEL, OUTDOOR DINING AREA, VEGETATIVE SCREENS, AND CANOPIES, 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, VISION WALNUT STREET, LLC, (hereinafter referred to as “Temporary User”) be and is hereby permitted to use temporarily the right-of-way located along Walnut Street, Aquarium Way, and Riverfront Parkway in front of 102 Walnut Street for construction of concrete building footings below street level, outdoor dining area, vegetative screens, and canopies, 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. Any overhead projecting objects must meet the minimum height requirements as per the City of Chattanooga's Codes and Standards.

6. A minimum of a six (6'0") foot sidewalk clearance shall be maintained at the narrowest point between the Walnut Street outdoor dining and the closest edge of tree well.

7. Vegetative green screens shall be set a minimum of one (1'0") foot from the back edge of sidewalk along Riverfront Parkway to ensure adequate soil is given for the growth of vines.

8. Temporary Usage for the concrete building footings will expire one hundred eighty (180) days after Council approval in order to allow a Franchise Agreement to take effect.

9. 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/Ordinance Request Form

Date Prepared: September 10, 2015

Preparer: Bertran Kuyrkendall

Department: Transportation

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

A City Council Resolution is requested to authorize Temporary Usage Request #147632 for Jan Pass of Passpointe Engineering, agent for the property owner, Vision Walnut St. LLC, for temporary usage of the right-of-way along Walnut Street, Aquarium Way, and Riverfront Parkway in front of 102 Walnut Street for construction of concrete building footings below street level, outdoor dining area, vegetative screens, and canopies.

APPROVED WITH CONDITIONS

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

List all other funding sources and amount for each contributor.

<u>Amount(s)</u>	<u>Grantor(s)</u>
\$ _____	_____
\$ _____	_____
\$ _____	_____

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: September 2, 2015

Re: Temporary Usage Request # 147632
Jan Pass (Passpointe Eng.) for Vision Walnut St. LLC (Mitch Patel)
102 Walnut Street (District 7)

RECOMMENDATION: APPROVAL WITH CONDITIONS

This application was received on April 7, 2015, from Jan Pass of Passpointe Engineering, agent for the property owner, Vision Walnut St. LLC. The business intends to install concrete building footings below street level, an outdoor dining area, vegetative screens, and canopies to the new construction of a boutique hotel located at 102 Walnut St. The application is requesting the usage of right-of-way on the Walnut Street, Aquarium Way, and Riverfront Parkway.

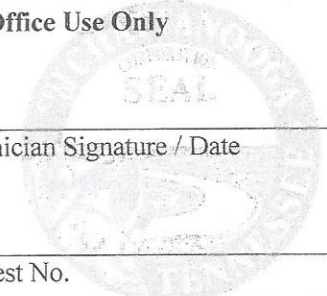
After review, granting this Temporary Usage does not conflict with the public's interest.

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.
- Any overhead projecting objects must meet the minimum height requirements as per the City of Chattanooga's Codes and Standards.
- A minimum of 6'-0" sidewalk clearance shall be maintained at the narrowest point between the Walnut Street outdoor dining and the closest edge of tree well.
- Vegetative green screens shall be set a minimum of 1'-0" from the back edge of sidewalk along Riverfront Parkway to ensure adequate soil is given for the growth of vines.
- The Temporary Usage for the concrete building footings will expire 180 days after Council approval in order to allow a Franchise Agreement to take effect.
- 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.

7/29/2015

Bertran Kuyrkendall, P.E.
Transportation Engineer,
Chattanooga Department of Transportation
Development Resource Center
1250 Market Street, Suite 3030
Chattanooga, TN 37402
(423) 643-5950

For Office Use Only

_____ Technician Signature / Date
_____ Request No.

RE: Request for Temporary Usage

Dear Mr. Kuyrkendall:

This is a request for temporary usage of 1) retaining wall heel, 2) outdoor dining area, 3) vegetative screens, 4) canopies at 102 Walnut St, 135L C 005

The reason for the request is as follows: 1) Ret wall to provide basement wall support for proposed building, 2) outdoor dining area & associated screening, 3) vegetative screens & retaining wall to provide soil support & screening for hotel service area, 4) canopies to provide covered ingress/egress

In making this request: Temporary User agrees as follows:

1. Temporary User shall 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 shall 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 shall vacate the property and temporary use upon thirty (30) days notice from the City to do so. Upon vacating the property, whether voluntarily or at the request of the City, the Temporary User shall restore the property to substantially the same condition that existed prior to granting the temporary use, including complying with any environmental regulations.
4. Temporary User shall provide full access for maintenance of any utilities located within the easement.
5. Temporary User shall obtain any and all other permits, variances, or approvals necessary to accommodate the temporary use.
6. Temporary User shall 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 Temporary User shall, upon satisfactory completion of use as determined by the Tennessee Department of Environment and Conservation, abandon the well 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, phone number and email address is as follows: 2719 Hickory Valley Rd, Ste B, Chattanooga, TN 37421
(423) 451-6601 janpass@passpointe.com

Passpointe Engineering / Jan Pass

(Print) Applicant Name

Vision Walnut Street, LLC

(Print) Property Owner Name



 (Sign) Applicant Name


 (Sign) Property Owner Name

7/29/15

 Date
 7/29/15

 Date

This application MUST include property owner's signature, if different than applicant, and a site map of the reference location.

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

7/29/2015

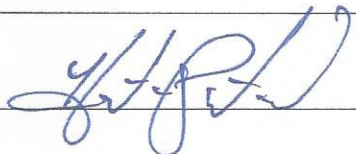
Bertran Kuyrkendall, P.E.
Transportation Engineer,
Chattanooga Department of Transportation
Development Resource Center
1250 Market Street, Suite 3030
Chattanooga, TN 37402
(423) 643-5950

RE: Acting Agent Letter – Temporary Usage of Right of Way

Dear Mr. Kuyrkendall:

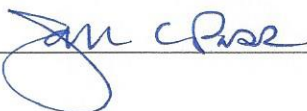
I am formally requesting the City of Chattanooga accept the attached Temporary Usage of Right of Way application, submitted by my Agent, Passpointe Engineering/Jan Pass , on my behalf.

Applicant Printed Name: Vision Walnut Street, LLC

Applicant Signature: 

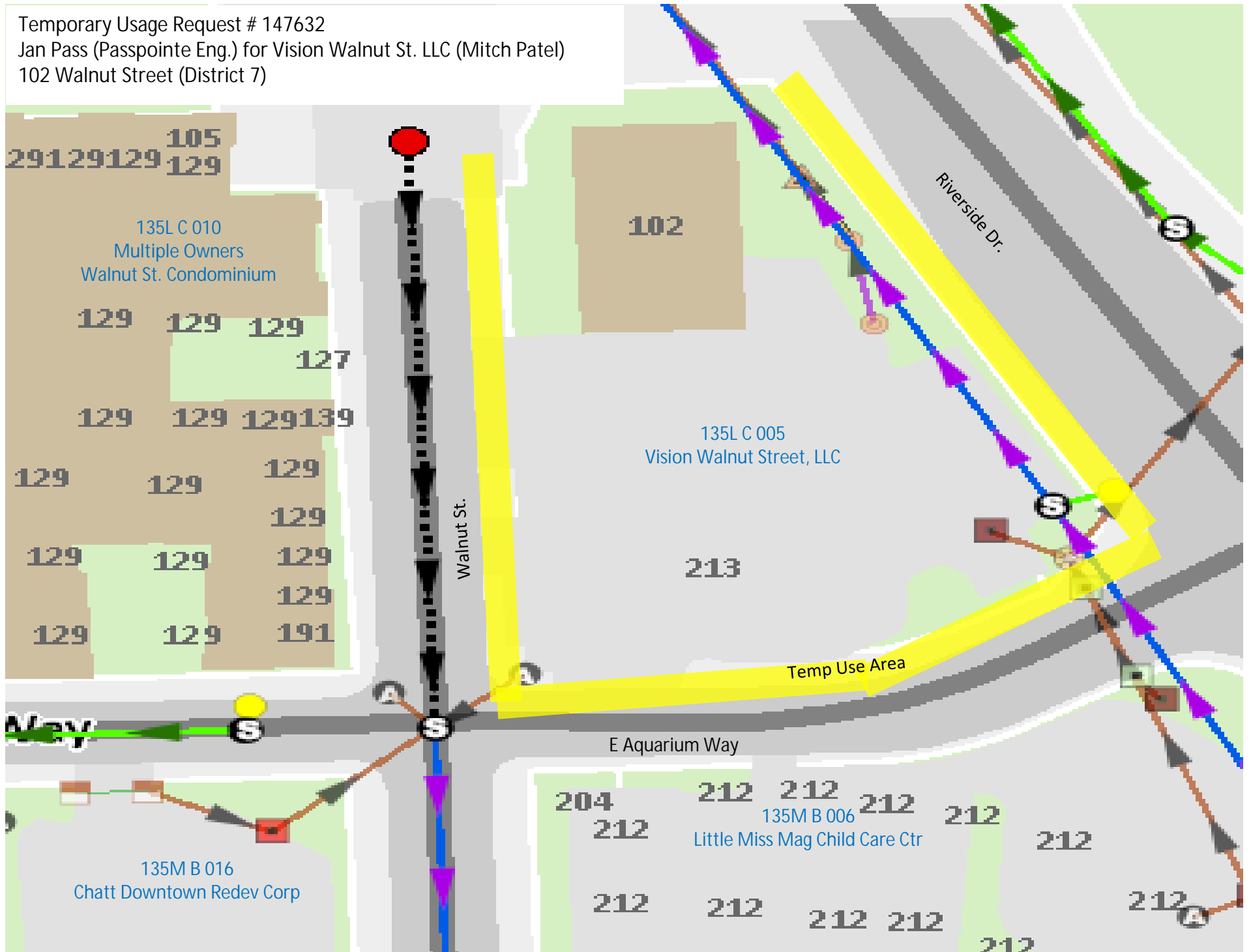
Date: 7/29/15

Agent Printed Name: Passpointe Engineering / Jan Pass

Agent Signature: 

Date: 7/29/15

Temporary Usage Request # 147632
Jan Pass (Passpoint Eng.) for Vision Walnut St. LLC (Mitch Patel)
102 Walnut Street (District 7)



- ZONING REQUIREMENTS:**
- 1) Proximity to transit stops: ~500'
 - 2) Bicycle facility on site
 - 3) 5 adjacent on street parking spaces provided. Public parking ~525' South of site. 114 private on-site spaces provided.
 - 4) A) Hotel - Hrs of operation: 24 hrs / 7 days
B) Retail - Hrs of operation: M-F 9AM-10PM, Sat-Sun 9AM-11PM
C) Restaurant - Hrs of operation: Sun-Thurs 9AM-11PM, Fri-Sat 10AM-1AM
 - 5) 90 Unit Hotel, retail/commercial use 2273 ± SF, Restaurant use 6953 ± SF
 - 6) Fire Hydrant within 75' FDC - see Plumbing Plan.
 - 7) Street Edge & Off-street parking screening - There is no off-street parking outside of the parking deck. See Arch. Sheet A3.30, Details 5 & 7 and Sheet A2.04 for Green Screen elevations.

- SITE & CONTACT NOTES**
1. Site Address: 102 Walnut St, Chattanooga, TN 37402
 2. Owner: Vision Walnut Street, LLC
Contact: Hiten Patel, VHG Director of Development
Phone: (423) 892-1010
 3. Nearest Cross-Street: Aquarium Way
 4. Parcel Numbers: 135I-C-001 & 005
 5. Zoning: C-3
 6. Parcel Area: 0.87 ± acres
Area Disturbed: 0.87 ± acres
Pre-Const. Impervious: 0.76 ± acres
Post-Const. Impervious: 0.76 ± acres
Flood Elevation (100yr): Property does not appear to lie in the 100 yr. flood zone as per Firm Map No. 47065C0341F, dated November 7, 2002.
 7. TOPD SURVEY: Topographic Survey provided by Northpointe Surveying Co. (Proj No. 14-096). The Contractor is responsible for verifying control/benchmarks shown on Topographic Survey before construction begins.
 8. EROSION CONTROL: Owner's representative: Bob Haynes, VHG Director of Construction
Phone: (423) 892-1010

- PARKING REQUIREMENTS:**
- Zoning Requirements = 110 spaces
 - Total Provided = 114 spaces
 - Lower Level - 74 spaces
 - Parking Deck - 40 spaces

pvdesign, inc.
1141 JAMES BLVD, SIGNAL MOUNTAIN,
TN 37377, 364-0341
PVDESIGN@PVDESIGN.COM

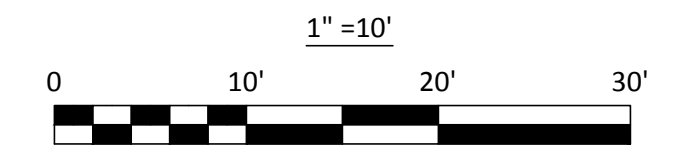
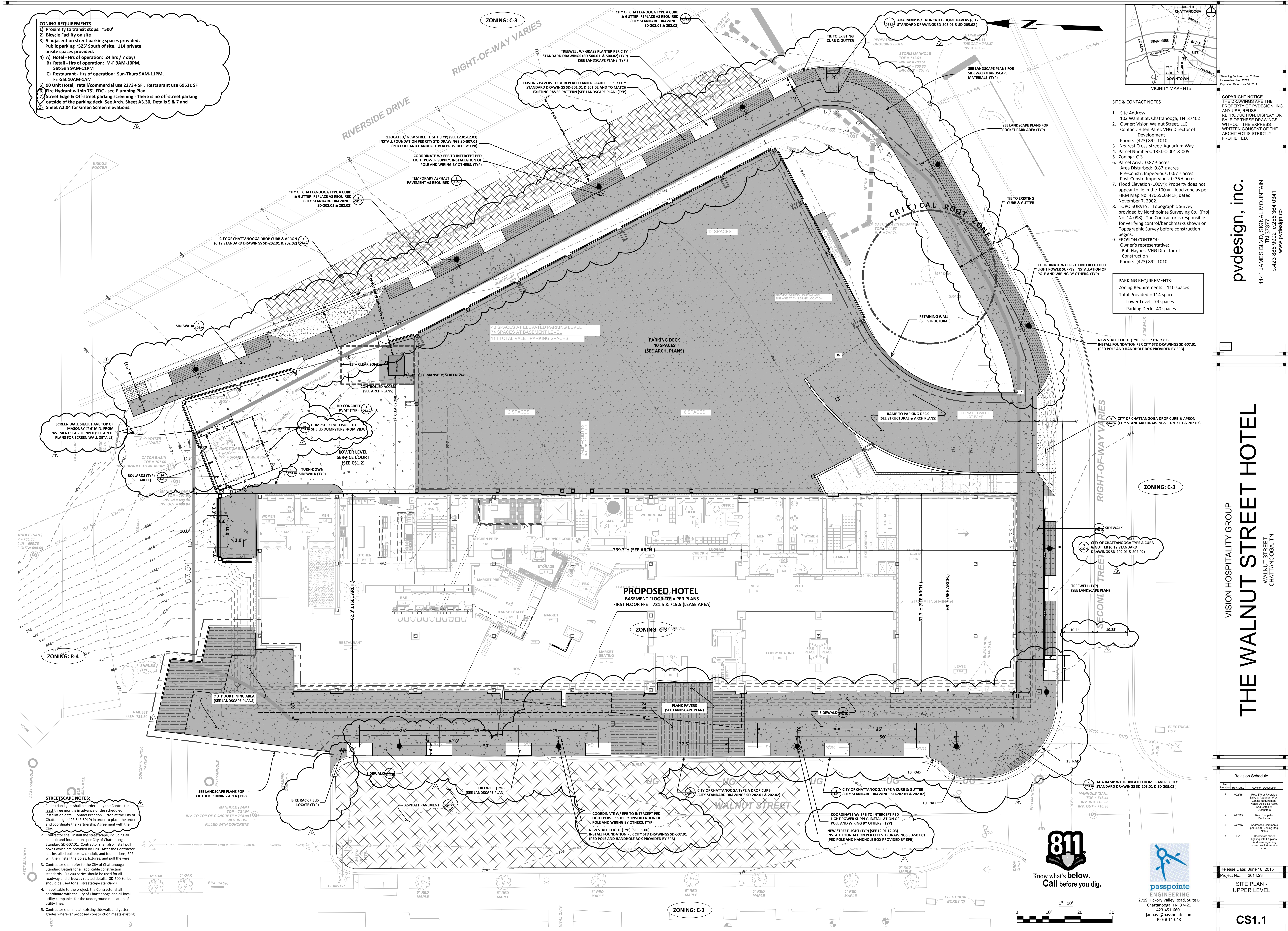
VISION HOSPITALITY GROUP
THE WALNUT STREET HOTEL
WALNUT STREET
CHATTANOOGA, TN

Revision Schedule

Rev. Number	Rev. Date	Revision Description
1	7/20/15	Rev. 01B at Request Draw & Approval from City of Chattanooga Notes: Add Bike Rack, Dumpsters, Elev. Overpass Enclosure
2	7/23/15	Address Corrections per CCOT, Zoning Rec. Notes:
3	7/27/15	Coordinate street signage with LA plans. Add notes regarding street sign off-site court.
4	8/3/15	

Release Date: June 18, 2015
Project No.: 2014.23
SITE PLAN - UPPER LEVEL

CS1.1



- STREETSCAPE NOTES:**
1. Pedestrian lights shall be ordered by the Contractor at least three months in advance of the scheduled installation date. Contact Brandon Sutton at the City of Chattanooga (423.643.5919) in order to place the order and coordinate the Permitting Agreement with the City.
 2. Contractor shall install the streetscape, including all conduit and foundations per City of Chattanooga Standard SD-507.01. Contractor shall also install pull boxes which are provided by EPB. After the Contractor has installed pull boxes, conduit, and foundations, EPB will then install the poles, fixtures, and pull the wire.
 3. Contractor shall refer to the City of Chattanooga Standard Details for all applicable construction standards. SD-200 Series should be used for all roadway and driveway related details. SD-500 Series should be used for all streetscape standards.
 4. If applicable to the project, the Contractor shall coordinate with the City of Chattanooga and all local utility companies for the underground relocation of utility lines.
 5. Contractor shall match existing sidewalk and gutter grades wherever proposed construction meets existing.

- COORDINATE W/ EPB TO INTERCEPT PED LIGHT POWER SUPPLY. INSTALLATION OF POLE AND WIRING BY OTHERS. (TYP)**
- NEW STREET LIGHT (TYP) (SEE L1.00)**
INSTALL FOUNDATION PER CITY STD DRAWINGS SD-507.01 (PED POLE AND HANDHOLE BOX PROVIDED BY EPB)
- NEW STREET LIGHT (TYP) (SEE L2.01-L2.03)**
INSTALL FOUNDATION PER CITY STD DRAWINGS SD-507.01 (PED POLE AND HANDHOLE BOX PROVIDED BY EPB)

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