

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING AMCA LP C/O DAVID ROOS TO USE TEMPORARILY THE RIGHT-OF-WAY LOCATED ON BROAD STREET ADJACENT TO 736 BROAD STREET TO INSTALL A CANOPY AND USE OF THE RIGHT-OF-WAY OF BROAD STREET, WEST 8TH STREET, AND MARKET STREET ADJACENT TO 736 BROAD STREET FOR A BASEMENT THAT EXTENDS INTO THE RIGHT-OF-WAY UNTIL A FRANCHISE AGREEMENT CAN BE IN PLACE, 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 AMCA LP C/O DAVID ROOS (hereinafter referred to as “Temporary User”) be and is hereby permitted to use temporarily the right-of-way located on Broad Street adjacent to 736 Broad Street to install a canopy and use of the right-of-way of Broad Street, West 8th Street, and Market Street adjacent to 736 Broad Street for a basement that extends into the right-of-way until a franchise agreement can be in place, 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. Any overhead projecting objects must meet the minimum height requirements as per the City of Chattanooga's Codes and Standards. (Section 32-8) Minimum height requirement is eight (8') feet above the sidewalk at all points and a maximum of eighteen (18") inches to the curb line.

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

5. 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.

6. Temporary Use will be in effect for the basement area until the franchise agreement becomes operative or for a maximum of one hundred eighty (180) days.

ADOPTED: _____, 2016

/mem

City of Chattanooga



Resolution/Ordinance Request Form

Date Prepared: April 14, 2016

Preparer: Bertran Kuyrkendall

Department: Transportation

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

A resolution authorizing Temporary Usage Request TU 2016-011 for property owner AMCA LP (David Roos) for the temporary usage of the right-of-way on Broad Street adjacent to 736 Broad Street to install a canopy and the temporary usage of the right-of-way of Broad Street, West 8th Street, and Market Street adjacent to 736 Broad Street for a basement that extends into the right-of-way until a franchise agreement can be put in place.

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.

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: _____

Reviewed by: FINANCE OFFICE

DESIGNATED OFFICIAL/ADMINISTRATOR

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: April 12, 2016
Re: Temporary Usage Request # TU 2016-011
AMCA LP (David Roos)
736 Broad St. (District 7)

RECOMMENDATION: APPROVAL WITH CONDITIONS

This application was received on February 10, 2016, from the property owner, AMCA LP (David Roos). The business intends to renovate the building into a hotel (Aloft Hotel). The application is requesting the usage of right-of-way on the corner of Broad Street for an entryway canopy. The application also indicates that the basement of the building extends into the right-of-way on the Broad St., 8th St., and Market St. sides and temporary usage of these areas be granted until a franchise agreement can be put in place.

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:***

- Any overhead projecting objects must meet the minimum height requirements as per the City of Chattanooga's Codes and Standards. (Section 32-8) Minimum height requirement is eight (8) feet above the sidewalk at all points and a maximum of eighteen (18) inches to the curb line.
- The applicant shall obtain necessary permits and approvals from the City of Chattanooga Land Development Office.
- 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.
- Temporary Use will be in effect for the basement area until the franchise agreement become operative or for a maximum of 180 days.

12/15/2015

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: Request for Temporary Usage

Dear Mr. Kuyrkendall:

This is a request for temporary usage of the following:

1. An awning is proposed for the entrance of the Aloft Hotel at 736 Broad Street. The awning is depicted in the accompanying Drawings A-401 and the Longitudinal Elev SK-1004. Final dimensions are to be determined through this temporary use process, however, the intent is to provide cover over the guest arrival area from the building to a point as close to the street as allowable.
2. There is an existing condition by which the basement of the structure at 736 Broad and Market Streets, extends beneath the sidewalk on three sides, including Broad Street, 8th Street and Market Street. This condition may be seen in the accompanying Drawings SK-1001 through SK-1004.

LOCATION OF THIS CONDITIONAL USE REQUEST IS FOR THE BUILDING LOCATED AT 736 BROAD STREET,
TAX MAP NO: 145D – A – PARCEL 11

The reason for the request is as follows:

1. An awning is proposed to provide protective cover to arriving and departing guests, and allow for controlled access to and from the Hotel during a weather event. The awning also provides a recognizable feature, making the Aloft Hotel easier to locate and more inviting to guests.
2. The space below the sidewalk is the path for many of the utilities that service the building. Although it is not intended to use these areas for any public or operational purposes, it is imperative that access to the utilities be maintained. Work will be performed in these areas during the renovation of the hotel but only to the extent necessary to upgrade utilities or lighting.

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.

For Office Use Only

Klawman

Technician Signature / Date *2/10/16*

TU 2016-011

Request No.

My address, phone number and email address is as follows:

AMCA, LP
Mr. David Roos
620 Herndon Parkway, Suite 360
Herndon, VA 20170
(269) 262-4565
droos@roosenterprises.com

AMCA, LP
(Print) Applicant Name

AMCA, LP
(Print) Property Owner Name

David F. Roos
(Sign) Applicant Name

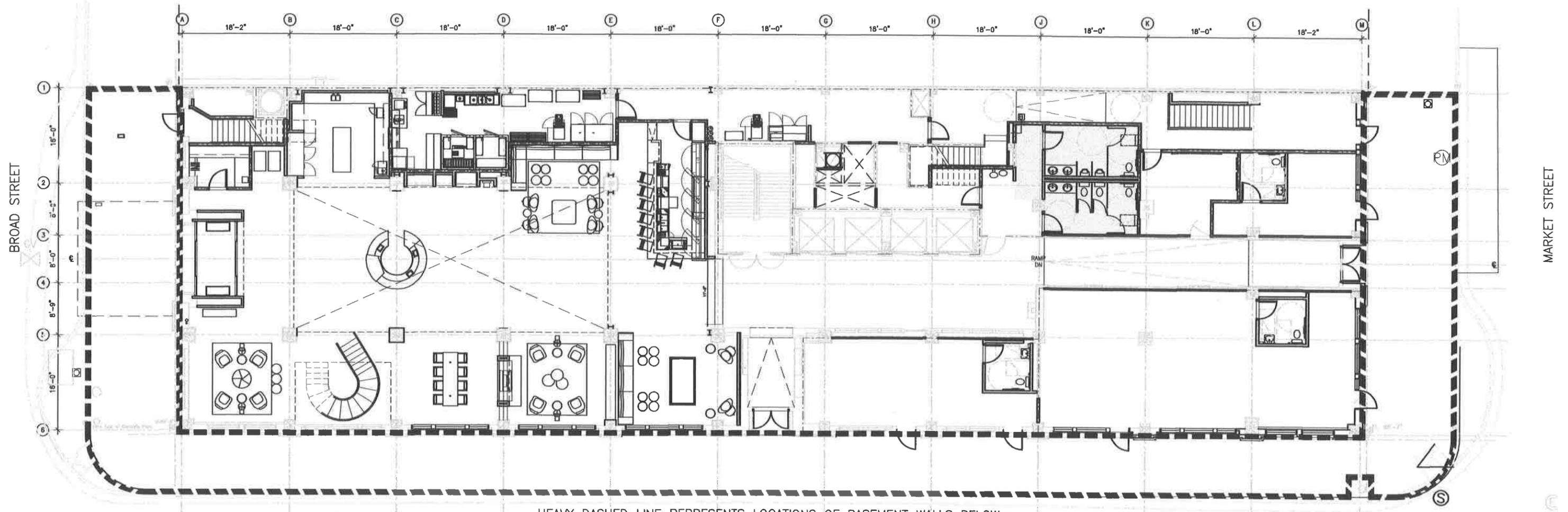
David F. Roos
(Sign) Property Owner Name

1/29/16
Date

1/29/16
Date

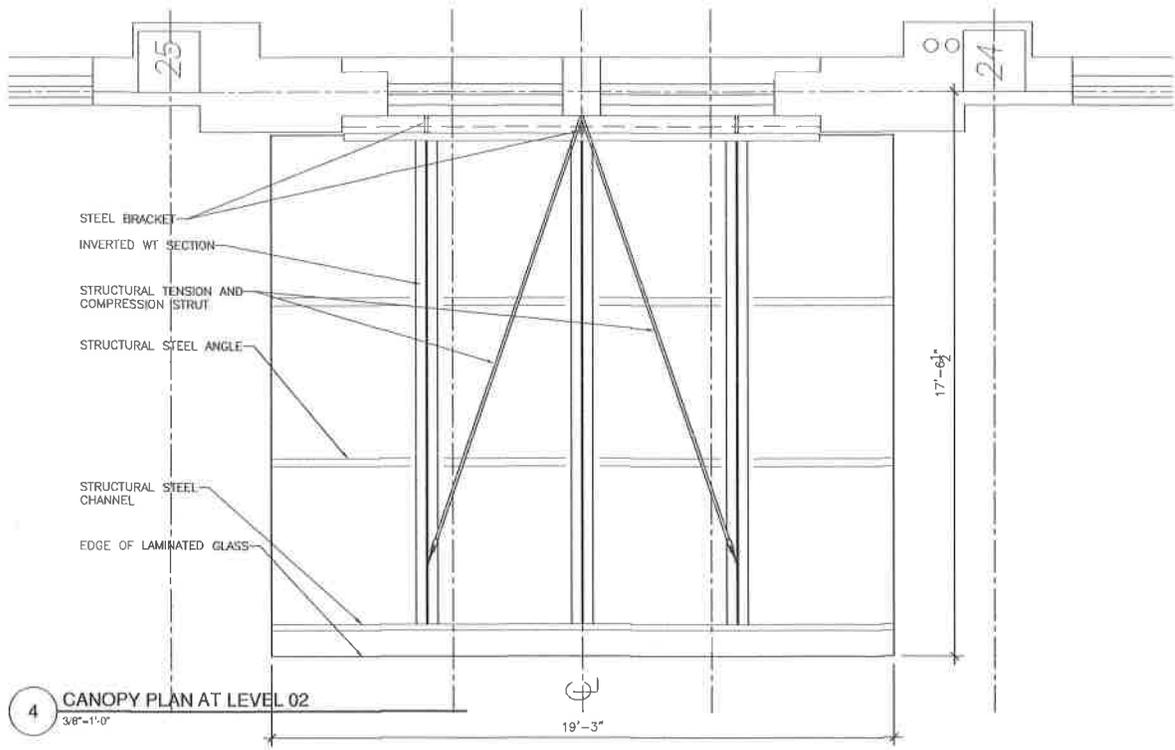
This application MUST include property owner's signature, if different than applicant, and a site map of the reference location.

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



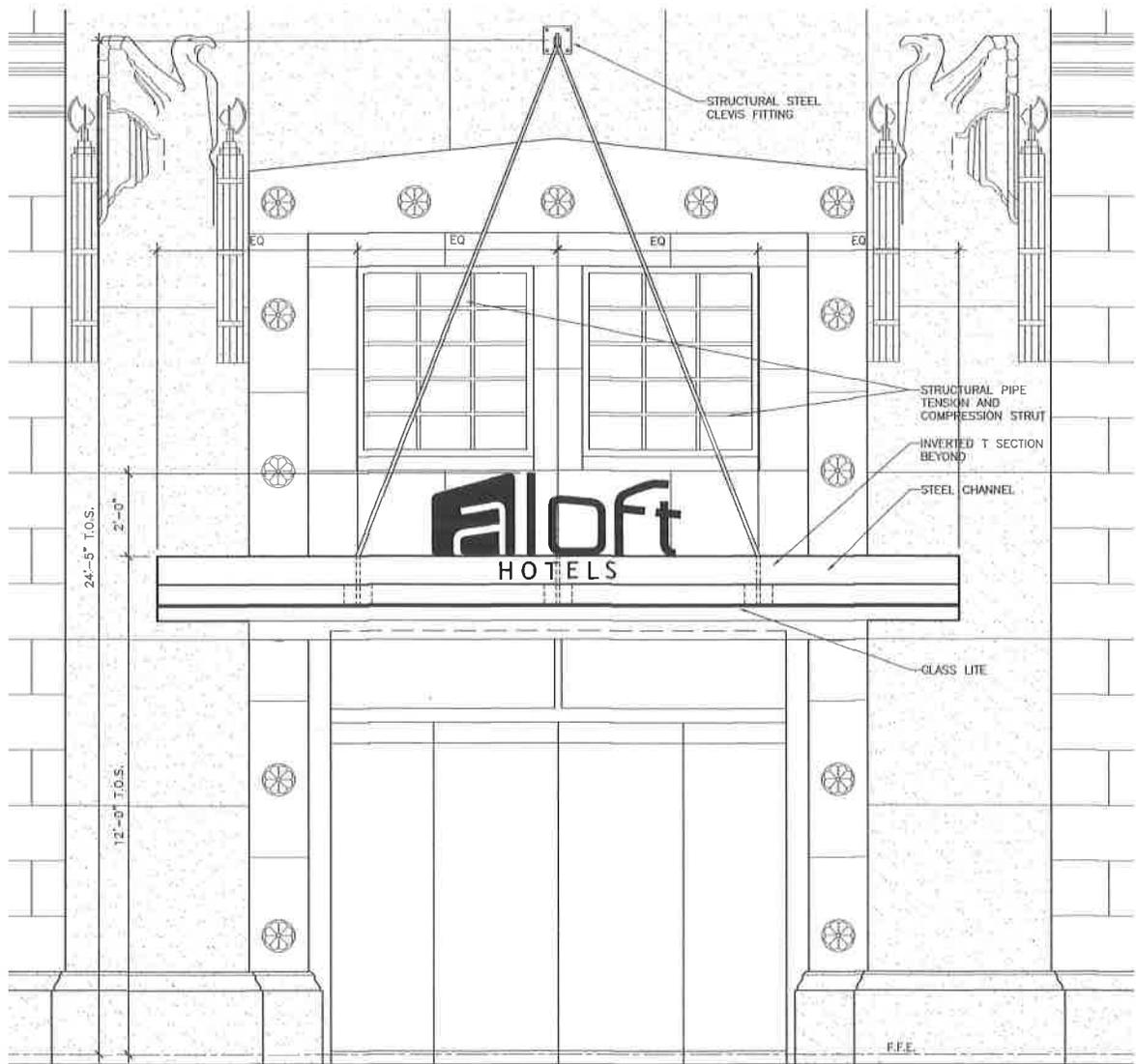
HEAVY DASHED LINE REPRESENTS LOCATIONS OF BASEMENT WALLS BELOW.

EIGHTH STREET



4 CANOPY PLAN AT LEVEL 02
3/8" = 1'-0"

3 GUSSET PLATE
1" = 1'-0"



2 BROAD STREET ENTRY - ELEVATION
1/2" = 1'-0"

EXISTING W 12X27 WITH CONCRETE COVER ASSUMED

4'-2"

12'-0" F.V.
10'-2 1/2" F.V.

1 BROAD STR
1/2" = 1'-0"

Temporary Usage Request # TU 2016-011
AMCA LP (David Roos)
736 Broad St. (District 7)

