

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING PROPERTY OWNER, WILLIAM B. RAINES, JR., TO USE TEMPORARILY THE RIGHT-OF-WAY LOCATED ALONG EAST MARTIN LUTHER KING BOULEVARD ADJACENT TO 237 EAST MARTIN LUTHER KING BOULEVARD TO INSTALL A GREASE TRAP, 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 PROPERTY OWNER, WILLIAM B. RAINES, JR., (hereinafter referred to as “Temporary User”) be and is hereby permitted to use temporarily the right-of-way located along East Martin Luther King Boulevard adjacent to 237 East Martin Luther King Boulevard to install a grease trap, 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. Installation must meet all City of Chattanooga codes and standards, including but not limited to Sections 31-51.01 and 31-51.02 concerning the Fats, Oils and Grease (FOG) Management Program.

4. Installation must coordinate with City's forthcoming improvements along Martin Luther King Boulevard. Any adjustments to the grease trap placement or its manhole lids shall be the responsibility of the Temporary User.

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

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: _____, 2016

/mem

City of Chattanooga



Resolution/Ordinance Request Form

Date Prepared: July 01, 2016

Preparer: Bertran Kuyrkendall

Department: Transportation

Brief Description of Purpose for Resolution/Ordinance: Res./Ord. # _____ Council District # 8

A resolution authorizing Temporary Usage Request TU 2016-030 for property owner William B. Raines Jr. (No Name, LLC) for the temporary usage of the right-of-way along East Martin Luther King Boulevard adjacent to 237 East Martin Luther King Boulevard to install a grease trap.

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 <u>Fund</u> _____	N/A
City Amount Funded \$ _____	Provide <u>Cost Center</u> _____	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: _____

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}

cc: Bert Kuyrkendall

Date: June 23, 2016

Re: Temporary Usage Request # TU 2016-030
William B. Raines Jr. (No Name, LLC)
237 East Martin Luther King Boulevard (District 8)

RECOMMENDATION: APPROVAL WITH CONDITIONS

This application was received on May 12, 2016, from the property owner, William B. Raines Jr. (No Name, LLC). The applicant requests temporary usage of the right-of-way adjacent to 237 East Martin Luther King Boulevard to install a grease trap.

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:*

- Installation must meet all City of Chattanooga codes and standards, including but not limited to Sections 31-51.01 and 31-51.02 concerning the Fats, Oils and Grease (FOG) Management Program.
- Installation must coordinate with City's forthcoming improvements along Martin Luther King Boulevard. Any adjustments to the grease trap placement or its manhole lids shall be the responsibility of the applicant.
- 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.

(DATE)

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

T.U. 2016-030

Request No.

RE: Request for Temporary Usage

Dear Mr. Kuyrkendall:

This is a request for temporary usage of ML KING SIDEWALK LOCATED IN
FRONT OF 237 ML KING.

The reason for the request is as follows: INSTALLATION OF A GREASE TRAP
REQUIRED FOR RESTAURANT TENANTS AS SHOWN IN
ATTACHED DRAWING.

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:

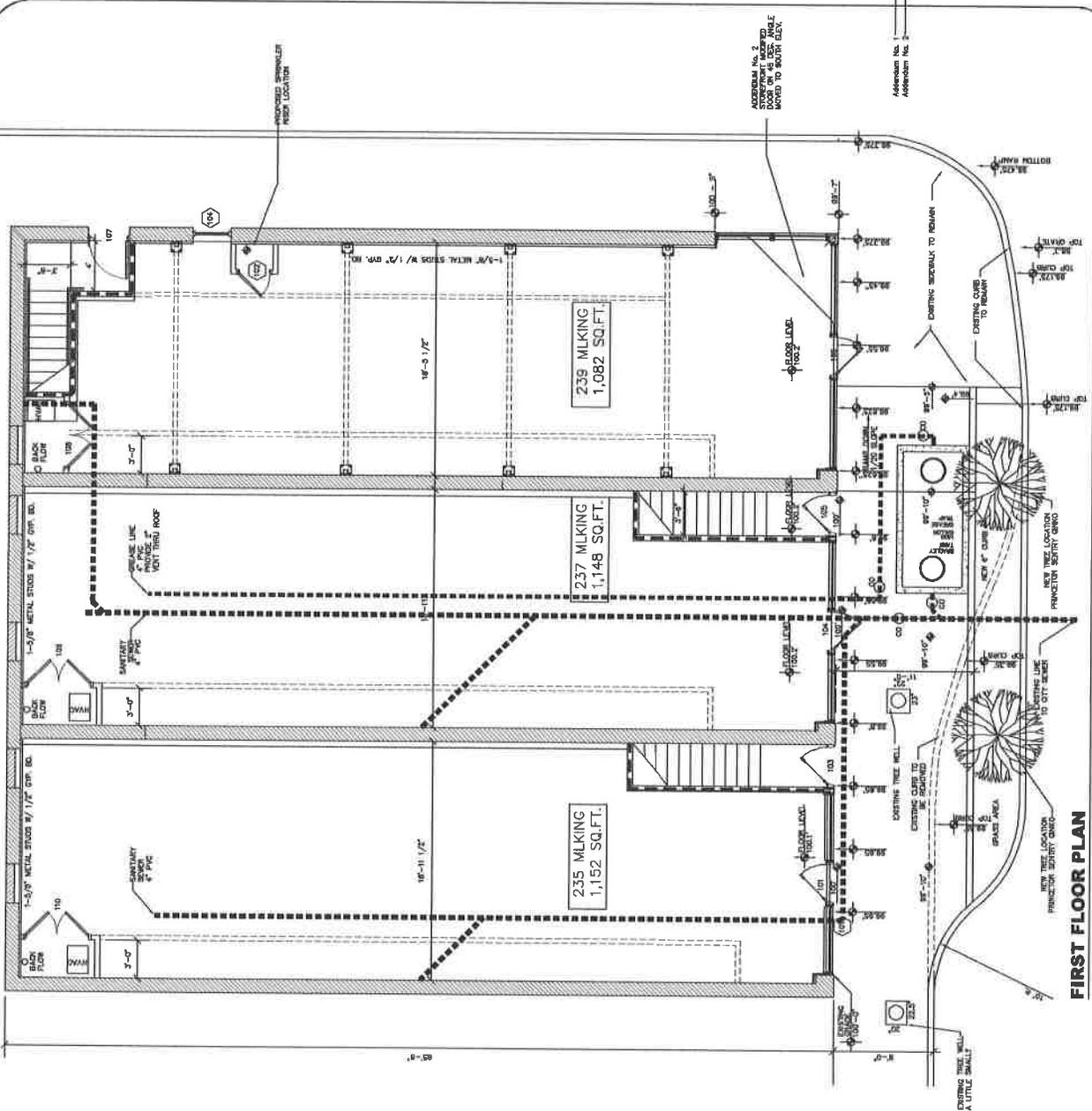
NO NAME, LLC
1200 MOUNTAIN CREEK RD, SUITE 100
CHATTANOOGA, TN 37405

WILLIAM B. RAINES, JR William B. Raines 5/9/16
(Print) Applicant Name (Sign) Applicant Name Date

NO NAME, LLC William B. Raines, Manager 5/9/16
(Print) Property Owner Name (Sign) Property Owner Name 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)



FIRST FLOOR PLAN

SCALE 1/4" = 1'-0"

WALL LEGEND

- EXISTING EXTERIOR BRICK (MASONRY) WALLS - 13"
- 3"-5/8" METAL STUDS AT 16" O.C.
- 2"-WALUS - 10" HIGHER THAN 1" - FORMERLY 240
- W/ 1/2" O.P. BR.
- WOOD STUDS @ 16" O.C.
- EXISTING INTERIOR BRICK (MASONRY) WALLS - 13"
- 3"-5/8" METAL STUDS AT 16" O.C.
- 2"-WALUS - 10" HIGHER THAN 1" - FORMERLY 240
- W/ 1/2" O.P. BR.
- WOOD STUDS @ 16" O.C.

ADDENDUM No. 1

ADDENDUM No. 2
 ADDITIONAL WORK TO BE DONE
 TO BE DETERMINED BY THE ARCHITECT
 BEFORE ANY WORK IS MOVED TO START DATE

TU 2016-030
237 E. Martin Luther King Blvd.

