

First Reading: March 29, 2016
Second Reading: April 5, 2016

ORDINANCE NO. 13037

AN ORDINANCE GRANTING UNTO E. 10TH STREET RSD, LLC, A FRANCHISE TO MAINTAIN INSTALLED CONCRETE FOOTINGS EXTENDING ONE (1') FOOT INTO THE RIGHT-OF-WAY ALONG UNIVERSITY STREET, DOUGLAS STREET, AND AN UNNAMED TEN (10') FOOT ALLEYWAY, AND TO MAINTAIN A STORMWATER STRUCTURE AND WATER QUALITY UNIT WITHIN THE CITY RIGHT-OF-WAY ON EAST 10TH STREET, AS SHOWN ON THE MAPS AND DIAGRAMS ATTACHED HERETO AND INCORPORATED HEREIN BY REFERENCE, SUBJECT TO CERTAIN CONDITIONS.

SECTION 1. BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHATTANOOGA, TENNESSEE, That there be and is hereby granted unto E. 10th Street RSD LLC (hereafter "Grantee"), c/o Chris Curtis, a franchise to maintain the existing concrete footings, each extending one (1') foot into the City of Chattanooga (hereafter "City") right-of-way along University Street, Douglas Street, and an unnamed ten (10') foot alleyway and to maintain a stormwater structure and water quality unit extending into the City right-of-way approximately five (5') feet for a distance of one hundred seventy-seven and nine-tenths (177.9') feet, more or less, along East 10th Street, as shown on the maps and diagrams attached hereto and incorporated herein by reference.

SECTION 2. BE IT FURTHER ORDAINED, That this franchise is granted upon the conditions as set forth below:

1. All underground City utilities must maintain their respective easements. No structures may be placed over or within City utility easements;
2. Grantee 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;
3. Grantee will comply with all applicable city ordinances, state and federal laws;
4. The existence of the features will have no adverse effect on any adjacent properties;
5. Grantee will comply with any special requirements of the City Transportation Engineer;
6. Grantee will be responsible shall comply with all necessary building and land disturbance permits and approvals from the City of Chattanooga Land Development Office;
7. Grantee will assume full responsibility for maintenance of all features and permanently maintain all features in a safe condition;
8. Grantee affirms that the installation of the franchised features and the maintenance thereof will not affect or alter the quality of streetscape configuration as reflected on the City's approved plans;
9. City will suffer no costs of any kind directly or indirectly resulting from the grant of this franchise;

10. Grantee will defend, indemnify and hold harmless the City, its officers, officials, employees, successors and assigns from any and all actions or claims for damages arising out of or related to the installation or maintenance of the entry features;
11. In the event that Grantee enters into an agreement to transfer its interest in the property, Grantee must immediately notify the Chattanooga Department of Transportation (CDOT) in writing. In no event shall notice be provided less than thirty (30) days prior to the closing date of the sale or transfer of interest;
12. Grantee's rights in this franchise agreement will terminate upon the sale, transfer, sublet or assignment of any portion of its interest in the property;
13. Grantee shall pay a one-time administrative fee of one thousand dollars (\$1,000.00);
14. Grantee shall provide, for approval, evidence of insurance, the limits of which are set forth in the City's Purchasing Standard Terms and Conditions and required to further indemnify the City against losses whatever kind and nature as a result of the franchised features being in the right-of-way; and
15. The above-stated conditions extend for the life of the franchise agreement for each item located in the right-of-way.

SECTION 3. BE IT FURTHER ORDAINED, That the term of this franchise shall be for a period of forty (40) years from the date of passage of this Ordinance.

SECTION 4. BE IT FURTHER ORDAINED, That this Ordinance applies to existing features and does not grant to right to construct any additional features not described herein.

SECTION 5. BE IT FURTHER ORDAINED, That this Ordinance shall become operative, only upon the execution by the Grantee of the Acceptance attached hereto.

SECTION 6. BE IT FURTHER ORDAINED, That this Ordinance shall take effective two (2) weeks after its passage.

Passed on second and final reading: April 5, 2016



CHAIRWOMAN

APPROVED: DISAPPROVED:



MAYOR

/mem

FRANCHISE ACCEPTANCE

As a duly authorized representative of the Grantee, I accept the foregoing franchise and its terms and conditions, this ____ day of _____, 2016.

10TH STREET RSD, LLC

BY: _____
(Signature)

(Print Name)

(Title)

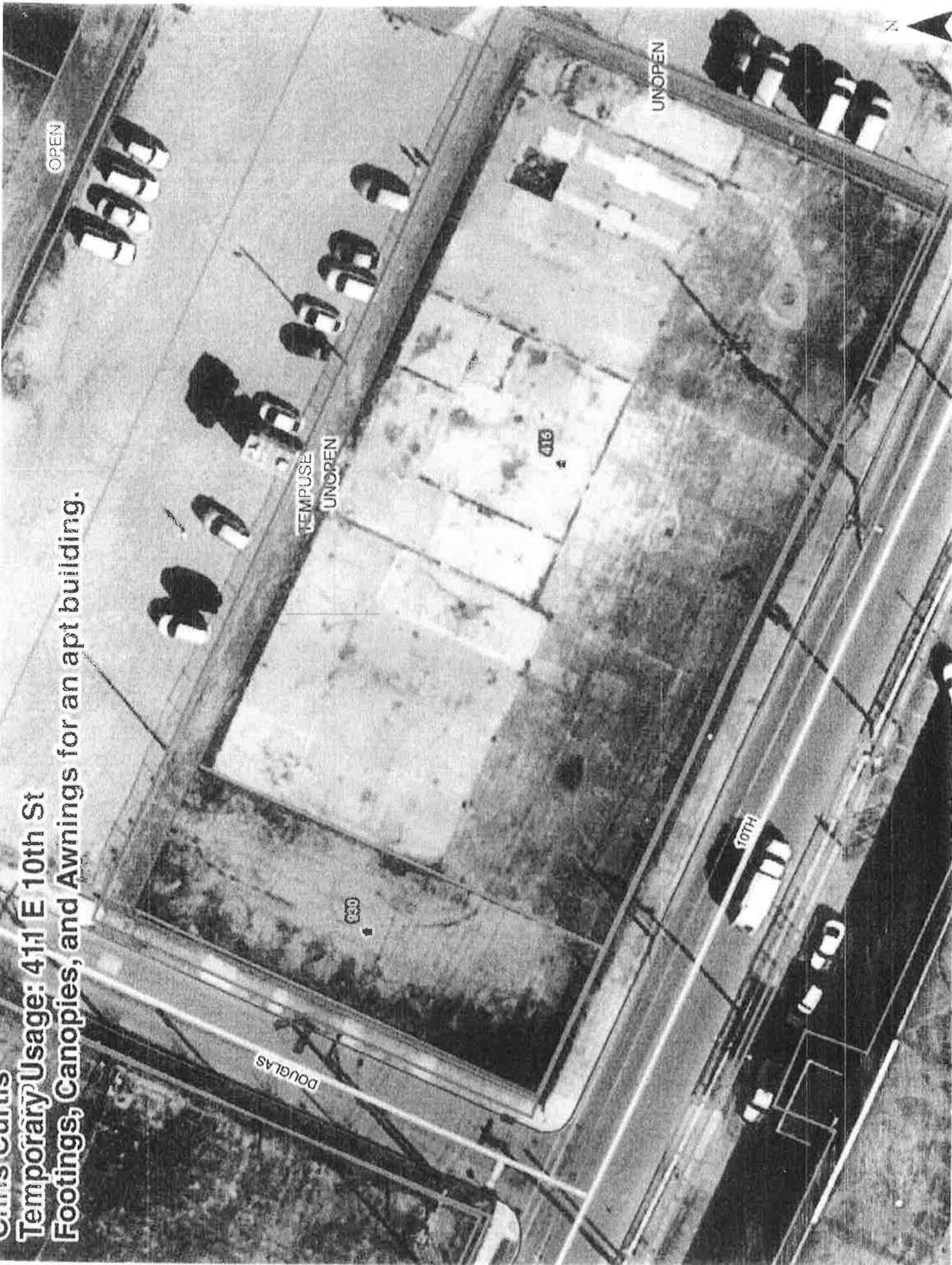
WITNESS:

(Signature)

(Print Name)

CLINT CURTIS

Temporary Usage: 411 E 10th St
Footings, Canopies, and Awnings for an apt building.



OPEN

TEMP USE
UNOPEN

UNOPEN

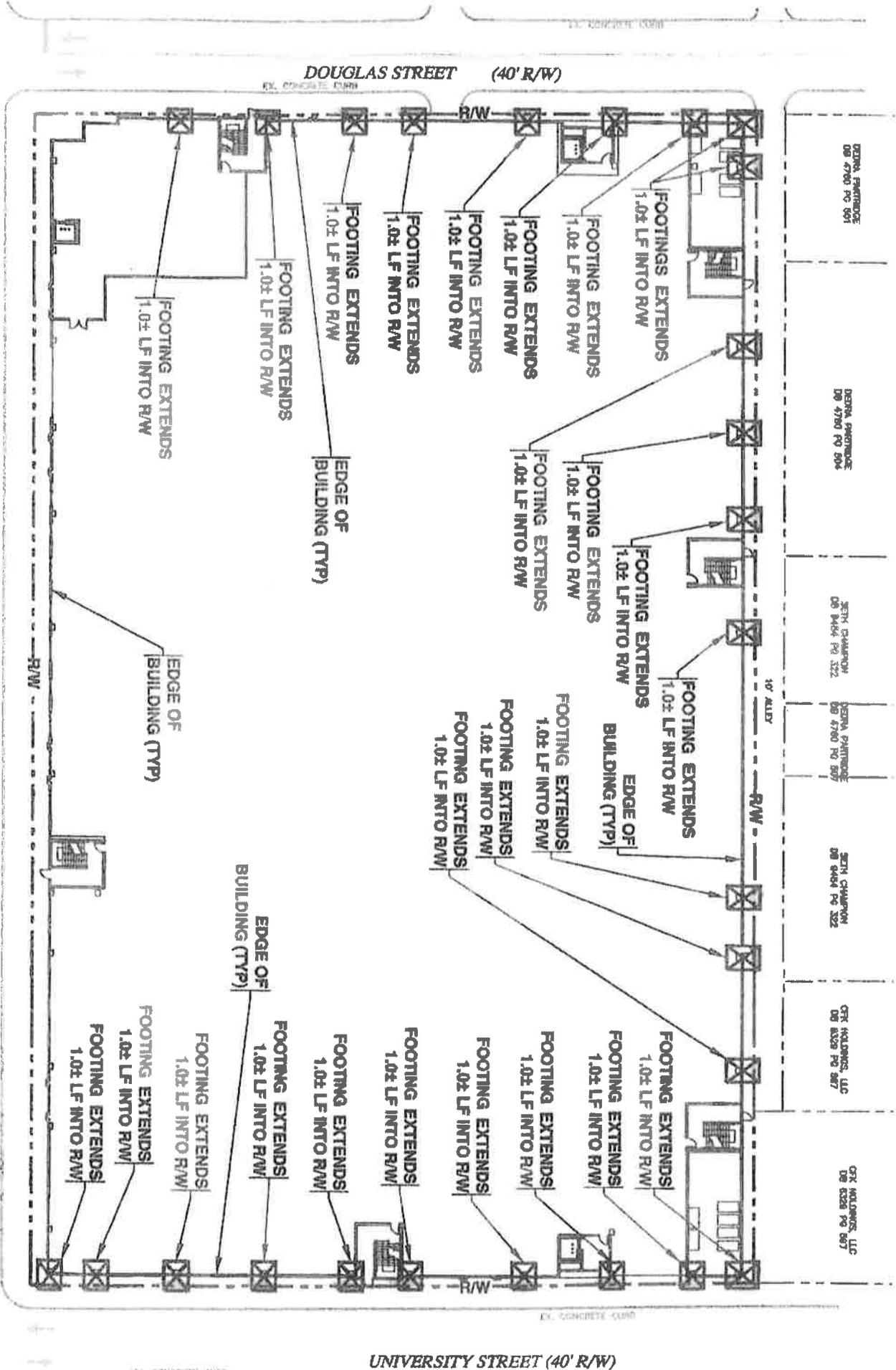
430

416

DOUGLAS

10TH

E. 10TH STREET (50' R/W)



DENA PARTNERS
DB 4760 PO 505

DENA PARTNERS
DB 4760 PO 504

32TH CHANNON
DB 9464 PO 322

DENA PARTNERS
DB 4760 PO 507

32TH CHANNON
DB 9464 PO 322

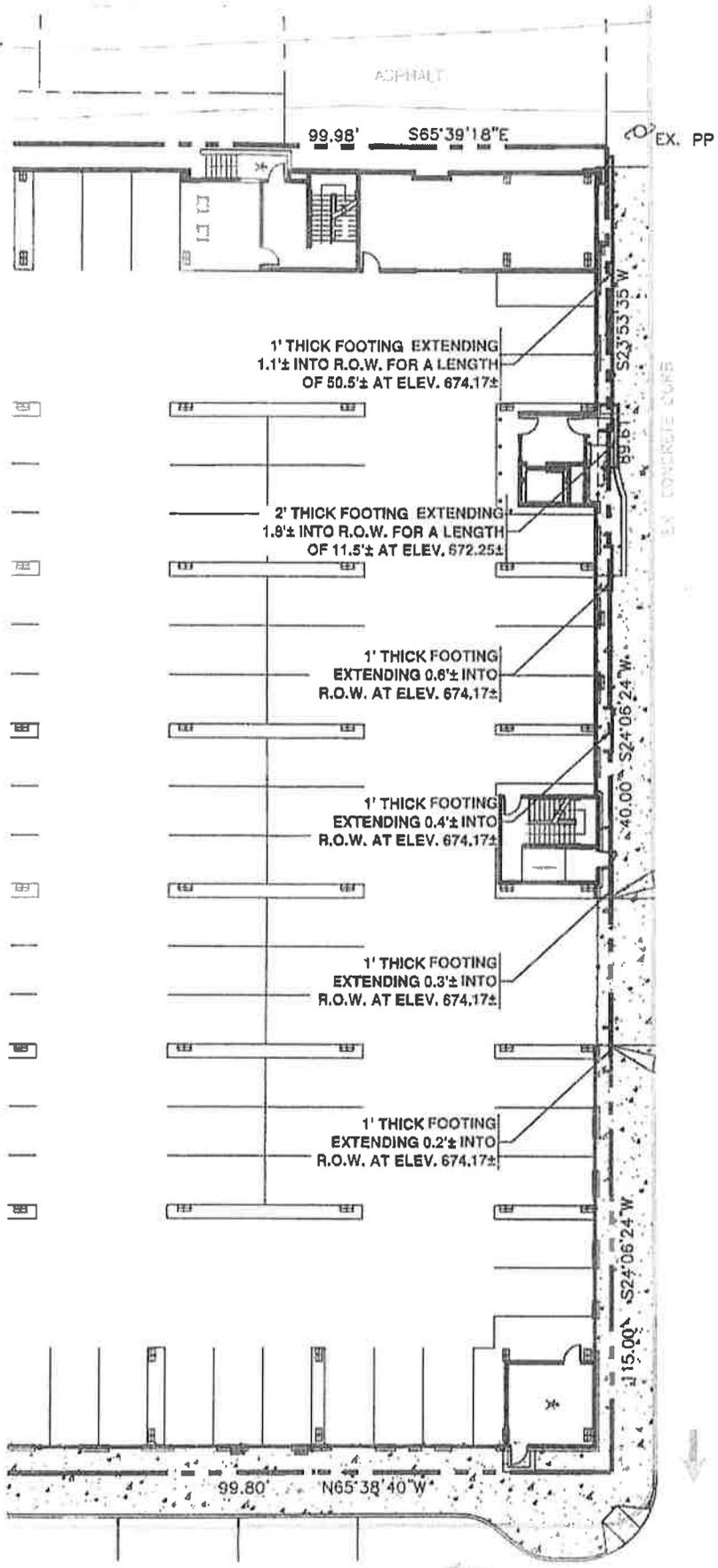
CR HOLDINGS, LLC
DB 8328 PO 907

CR HOLDINGS, LLC
DB 8328 PO 907

DOUGLAS STREET (40' R/W)

UNIVERSITY STREET (40' R/W)

CONCRETE FOOTINGS



UNIVERSITY STREET (40' R/W)

E. 10TH STREET (50' R/W)

EX. PP/LP

IRRIGATION LEGEND

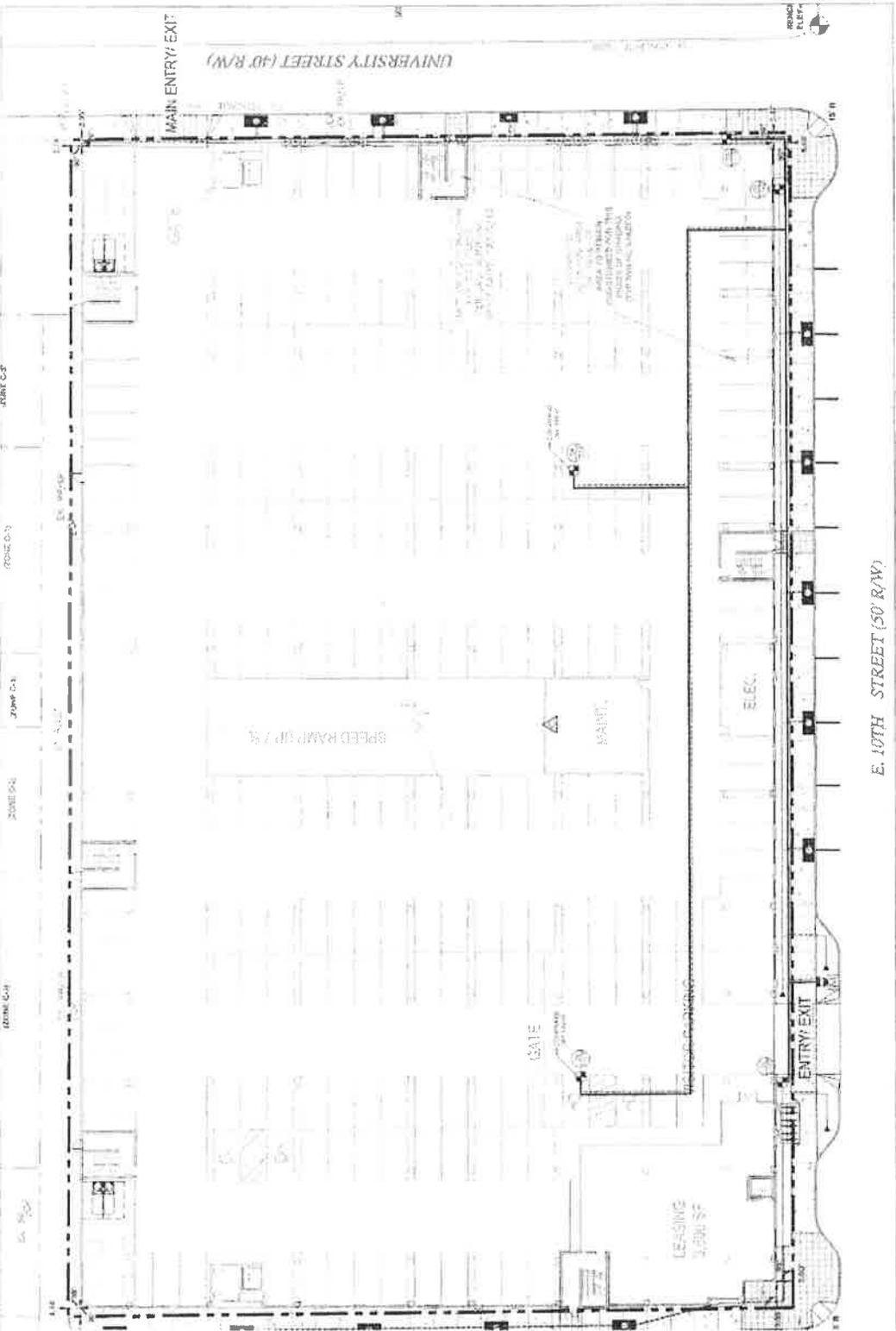
EMITTER SCHEDULE	
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PIPE LEGEND	
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DRIP EQUIPMENT	
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EQUIPMENT	
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NOTE:
 1. ALL EMISSION POINTS TO BE LOCATED ON THE UPPER SIDE OF EACH RESPECTIVE EMISSION POINTS TO BE LOCATED AT THE PLATE PAUL WITH THE ADDITIONAL POINT WITHIN PLANT REPAIR 74.
 2. SCHEDULED TO BE 0.5" W/SPACER AS NOTED ON THE PLAN. ALL EMISSION POINTS TO BE APPROVED EQUAL FINISH POWDER COAT COLOR DRESS (A) PROVIDE 4" THICK CONCRETE SLAB FOR EMISSION FOUNDATION.



SITE IRRIGATION PLAN

SCALE: 1" = 20'-0"

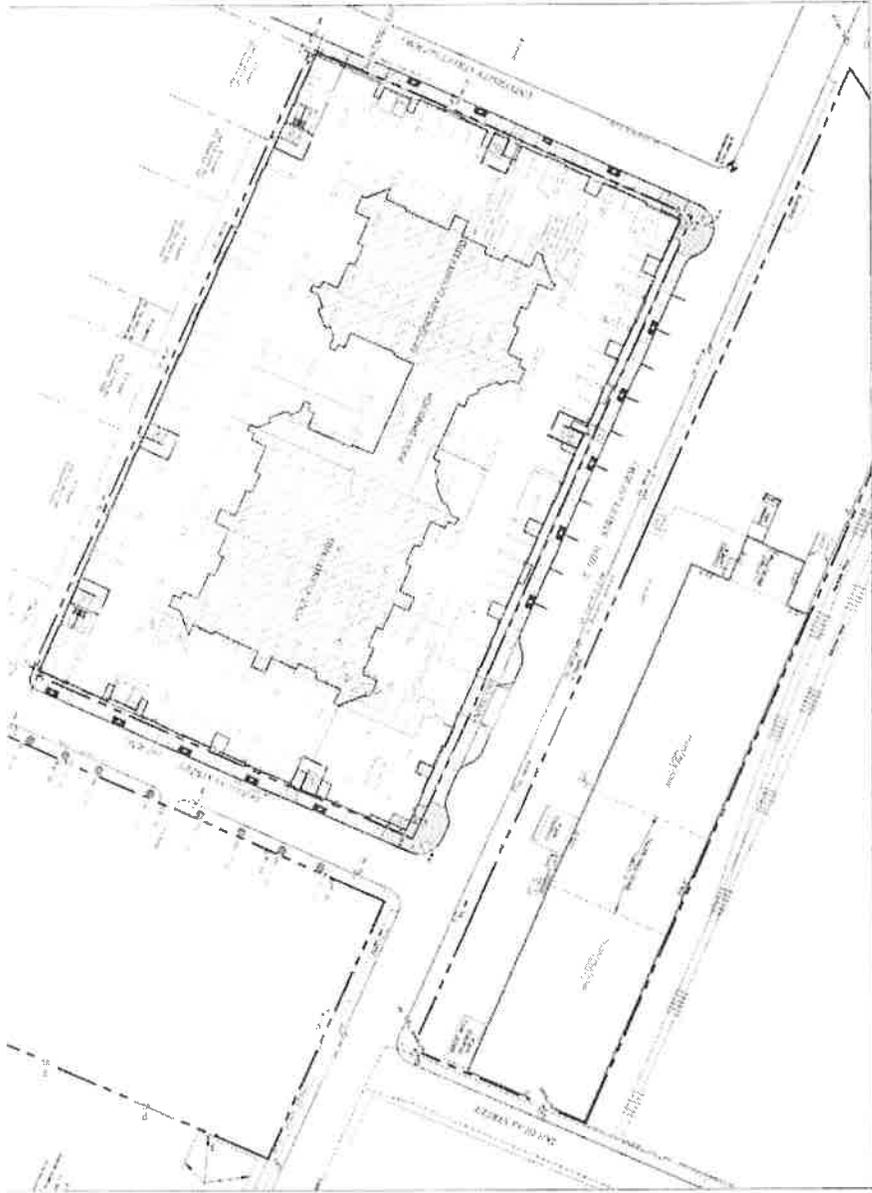
DATE: 11/23/21

STREETSCAPE LANDSCAPE LEGEND

- TREES**
 - 1. 10" DBH
 - 2. 12" DBH
 - 3. 14" DBH
 - 4. 16" DBH
 - 5. 18" DBH
 - 6. 20" DBH
 - 7. 22" DBH
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- SHRUBS**
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- GROUNDCOVER/ VINES**
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COURTYARD LANDSCAPE LEGEND

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OVERALL SITE PLAN



SMITTEE SCHEDULE

1. 10/15/2024	2. 10/22/2024	3. 10/29/2024	4. 11/05/2024	5. 11/12/2024	6. 11/19/2024	7. 11/26/2024	8. 12/03/2024	9. 12/10/2024	10. 12/17/2024	11. 12/24/2024	12. 1/07/2025	13. 1/14/2025	14. 1/21/2025	15. 1/28/2025	16. 2/04/2025	17. 2/11/2025	18. 2/18/2025	19. 2/25/2025	20. 3/04/2025	21. 3/11/2025	22. 3/18/2025	23. 3/25/2025	24. 4/01/2025	25. 4/08/2025	26. 4/15/2025	27. 4/22/2025	28. 4/29/2025	29. 5/06/2025	30. 5/13/2025	31. 5/20/2025	32. 5/27/2025	33. 6/03/2025	34. 6/10/2025	35. 6/17/2025	36. 6/24/2025	37. 7/01/2025	38. 7/08/2025	39. 7/15/2025	40. 7/22/2025	41. 7/29/2025	42. 8/05/2025	43. 8/12/2025	44. 8/19/2025	45. 8/26/2025	46. 9/02/2025	47. 9/09/2025	48. 9/16/2025	49. 9/23/2025	50. 9/30/2025	51. 10/07/2025	52. 10/14/2025	53. 10/21/2025	54. 10/28/2025	55. 11/04/2025	56. 11/11/2025	57. 11/18/2025	58. 11/25/2025	59. 12/02/2025	60. 12/09/2025	61. 12/16/2025	62. 12/23/2025	63. 12/30/2025	64. 1/06/2026	65. 1/13/2026	66. 1/20/2026	67. 1/27/2026	68. 2/03/2026	69. 2/10/2026	70. 2/17/2026	71. 2/24/2026	72. 3/02/2026	73. 3/09/2026	74. 3/16/2026	75. 3/23/2026	76. 3/30/2026	77. 4/06/2026	78. 4/13/2026	79. 4/20/2026	80. 4/27/2026	81. 5/04/2026	82. 5/11/2026	83. 5/18/2026	84. 5/25/2026	85. 6/01/2026	86. 6/08/2026	87. 6/15/2026	88. 6/22/2026	89. 6/29/2026	90. 7/06/2026	91. 7/13/2026	92. 7/20/2026	93. 7/27/2026	94. 8/03/2026	95. 8/10/2026	96. 8/17/2026	97. 8/24/2026	98. 8/31/2026	99. 9/07/2026	100. 9/14/2026	101. 9/21/2026	102. 9/28/2026	103. 10/05/2026	104. 10/12/2026	105. 10/19/2026	106. 10/26/2026	107. 11/02/2026	108. 11/09/2026	109. 11/16/2026	110. 11/23/2026	111. 11/30/2026	112. 12/07/2026	113. 12/14/2026	114. 12/21/2026	115. 12/28/2026	116. 1/04/2027	117. 1/11/2027	118. 1/18/2027	119. 1/25/2027	120. 2/01/2027	121. 2/08/2027	122. 2/15/2027	123. 2/22/2027	124. 2/29/2027	125. 3/06/2027	126. 3/13/2027	127. 3/20/2027	128. 3/27/2027	129. 4/03/2027	130. 4/10/2027	131. 4/17/2027	132. 4/24/2027	133. 5/01/2027	134. 5/08/2027	135. 5/15/2027	136. 5/22/2027	137. 5/29/2027	138. 6/05/2027	139. 6/12/2027	140. 6/19/2027	141. 6/26/2027	142. 7/03/2027	143. 7/10/2027	144. 7/17/2027	145. 7/24/2027	146. 7/31/2027	147. 8/07/2027	148. 8/14/2027	149. 8/21/2027	150. 8/28/2027	151. 9/04/2027	152. 9/11/2027	153. 9/18/2027	154. 9/25/2027	155. 10/02/2027	156. 10/09/2027	157. 10/16/2027	158. 10/23/2027	159. 10/30/2027	160. 11/06/2027	161. 11/13/2027	162. 11/20/2027	163. 11/27/2027	164. 12/04/2027	165. 12/11/2027	166. 12/18/2027	167. 12/25/2027	168. 1/01/2028	169. 1/08/2028	170. 1/15/2028	171. 1/22/2028	172. 1/29/2028	173. 2/05/2028	174. 2/12/2028	175. 2/19/2028	176. 2/26/2028	177. 3/05/2028	178. 3/12/2028	179. 3/19/2028	180. 3/26/2028	181. 4/02/2028	182. 4/09/2028	183. 4/16/2028	184. 4/23/2028	185. 4/30/2028	186. 5/07/2028	187. 5/14/2028	188. 5/21/2028	189. 5/28/2028	190. 6/04/2028	191. 6/11/2028	192. 6/18/2028	193. 6/25/2028	194. 7/02/2028	195. 7/09/2028	196. 7/16/2028	197. 7/23/2028	198. 7/30/2028	199. 8/06/2028	200. 8/13/2028	201. 8/20/2028	202. 8/27/2028	203. 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3/05/2031	334. 3/12/2031	335. 3/19/2031	336. 3/26/2031	337. 4/02/2031	338. 4/09/2031	339. 4/16/2031	340. 4/23/2031	341. 4/30/2031	342. 5/07/2031	343. 5/14/2031	344. 5/21/2031	345. 5/28/2031	346. 6/04/2031	347. 6/11/2031	348. 6/18/2031	349. 6/25/2031	350. 7/02/2031	351. 7/09/2031	352. 7/16/2031	353. 7/23/2031	354. 7/30/2031	355. 8/06/2031	356. 8/13/2031	357. 8/20/2031	358. 8/27/2031	359. 9/03/2031	360. 9/10/2031	361. 9/17/2031	362. 9/24/2031	363. 10/01/2031	364. 10/08/2031	365. 10/15/2031	366. 10/22/2031	367. 10/29/2031	368. 11/05/2031	369. 11/12/2031	370. 11/19/2031	371. 11/26/2031	372. 12/03/2031	373. 12/10/2031	374. 12/17/2031	375. 12/24/2031	376. 1/01/2032	377. 1/08/2032	378. 1/15/2032	379. 1/22/2032	380. 1/29/2032	381. 2/05/2032	382. 2/12/2032	383. 2/19/2032	384. 2/26/2032	385. 3/05/2032	386. 3/12/2032	387. 3/19/2032	388. 3/26/2032	389. 4/02/2032	390. 4/09/2032	391. 4/16/2032	392. 4/23/2032	393. 4/30/2032	394. 5/07/2032	395. 5/14/2032	396. 5/21/2032	397. 5/28/2032	398. 6/04/2032	399. 6/11/2032	400. 6/18/2032	401. 6/25/2032	402. 7/02/2032	403. 7/09/2032	404. 7/16/2032	405. 7/23/2032	406. 7/30
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PROPOSED BUILDING

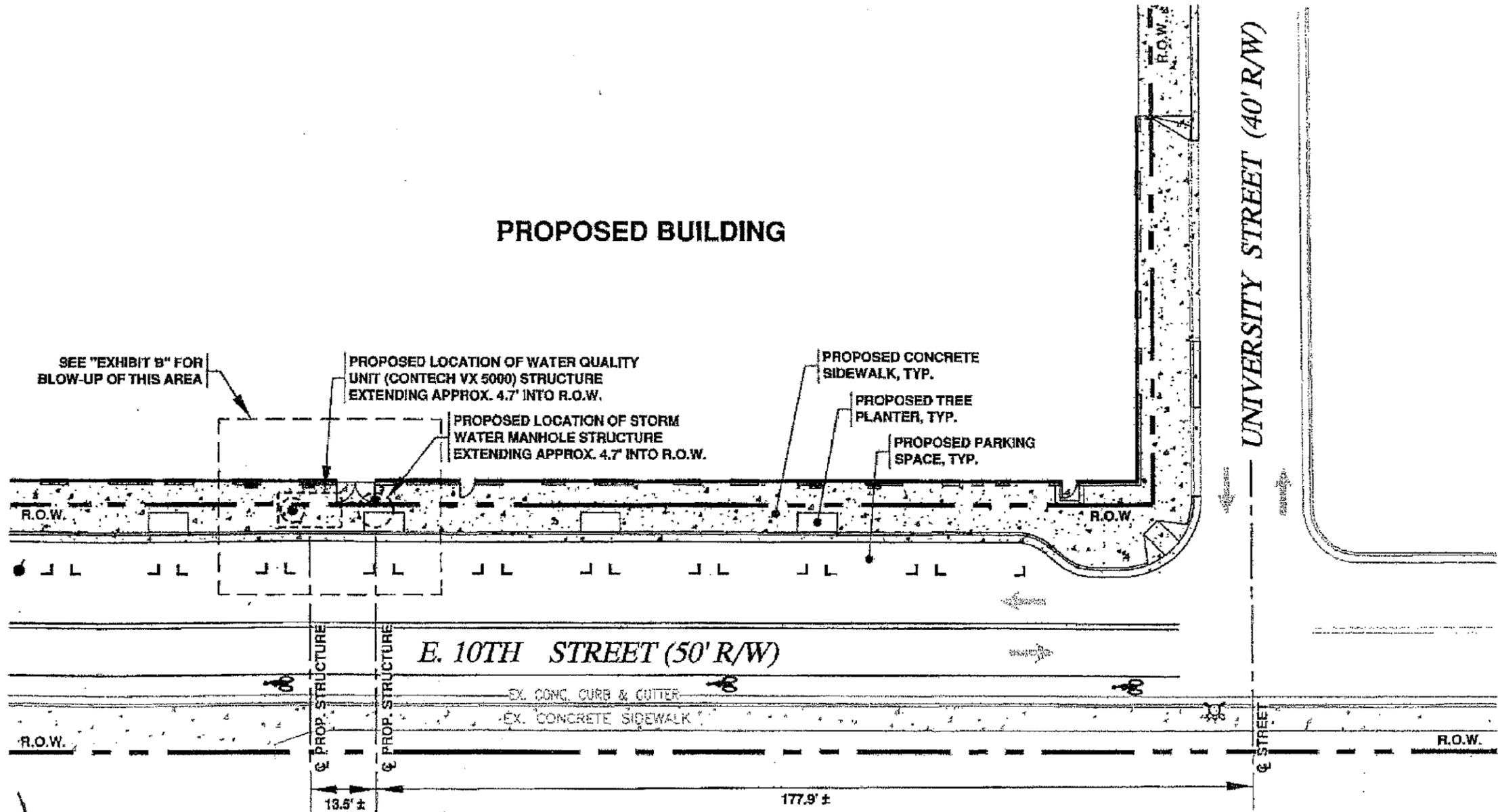
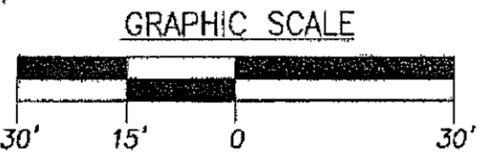


Exhibit A

SCALE: 1" = 30'



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DRAWN	SBT
CHECKED	MAP
DATE	07/14/14
SCALE	1" = 30'
MAP PROJECT:	13-151

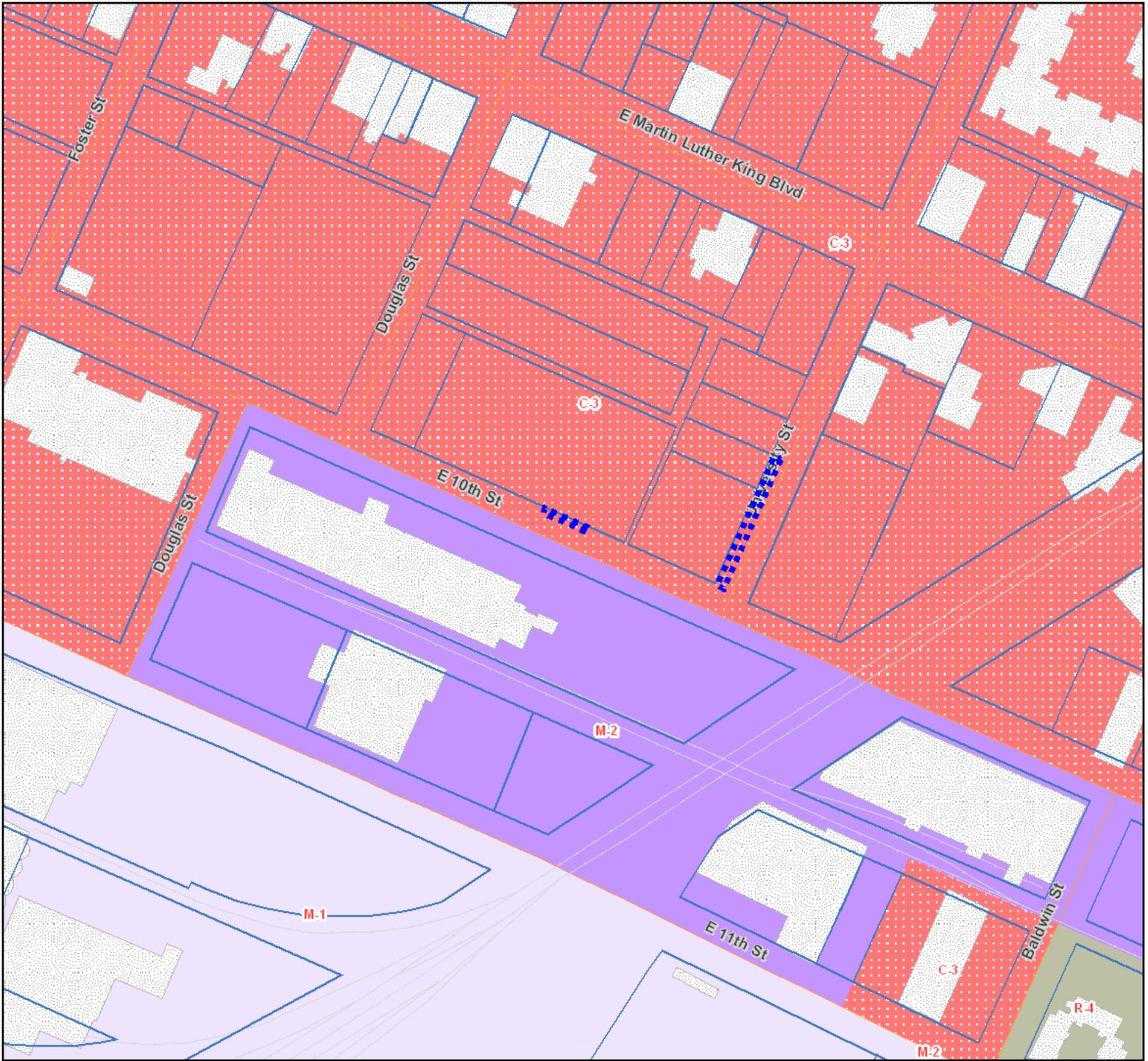


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7380 Applegate Ln.
 Chattanooga, TN 37421

2014-114



MR 2014-114 Franchise Agreement

PLANNING COMMISSION RECOMMENDATION FOR CASE NO. MR-2014-114:
 Approve



150 ft



Chattanooga Hamilton County Regional Planning Agency

