

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION AUTHORIZING SPORTS BARN C/O DAVID BROCK TO USE TEMPORARILY A PORTION OF THE RIGHT-OF-WAY LOCATED AT 301 BROAD STREET FOR INSTALLATION OF FOUR AWNINGS WITH SIGNAGE, AS SHOWN IN THE ATTACHED DRAWINGS, SUBJECT TO CERTAIN CONDITIONS.

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BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CHATTANOOGA, TENNESSEE, That SPORTS BARN C/O DAVID BROCK, (hereinafter referred to as “Temporary User”) be and is hereby permitted to use temporarily a portion of the right-of-way located at 301 Broad Street for installation of four awnings with signage, as shown attached drawings, subject to certain conditions, 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 shall execute the Indemnification Agreement attached hereto in favor of the City of Chattanooga, its officers, agents and employees for any and all claims for damages for injuries to persons or property related to or arising out of the temporary usage.
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. The proposed awning must meet the minimum elevation requirements as per City Codes and Standards.

ADOPTED: \_\_\_\_\_, 2013

/ss

INDEMNIFICATION AGREEMENT

This Indemnification Agreement is entered into by and between THE CITY OF CHATTANOOGA, TENNESSEE (hereinafter the "City"), and SPORTS BARN c/o DAVID BROCK (hereinafter "Temporary User"), this \_\_\_\_ day of \_\_\_\_\_, 2013.

For and in consideration of the granting of the temporary usage of a portion of the right-of-way located at 301 Broad Street for installation of four awnings with signage, as shown in the attached drawings and made a part hereof by reference, the receipt of which is hereby acknowledged, Temporary User agrees as follows:

1. Temporary User shall defend, 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 vacate the property and temporary use upon reasonable notice from the City to do so; the parties hereto agree that "reasonable notice" shall be deemed to be thirty (30) days. Temporary User shall restore the property to its original condition when it is returned to the City.

3. Temporary User shall provide adequate access for maintenance of any utilities located within the easement.

4. The proposed awning must meet the minimum elevation requirements as per City Codes and Standards.

SPORTS BARN

\_\_\_\_\_, 2013  
Date

BY: \_\_\_\_\_  
David Brock

CITY OF CHATTANOOGA, TENNESSEE

\_\_\_\_\_, 2013  
Date

BY: \_\_\_\_\_  
Ron Littlefield, Mayor

# City of Chattanooga



## Resolution Request Form

(This form is only required for resolutions requiring expenditure of City funds)

Date: December 17, 2012

Preparer: William C. Payne

Department: Public Works - Engineering

### Brief Description of Purpose for Resolution:

Resolution Number (if approved by Council):

District 8

A City Council Action is requested to approve the request of Temporary Usage No. 103574 for Sports Barn Building c/o David Brock for the right of way of 301 Broad Street for installation of four awnings with signage along a portion of said right-of-way, as shown on the attached drawing.

Name of Vendor/Contractor/Grant, etc.	N/A	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:

Reviewed by: FINANCE OFFICE

DESIGNATED OFFICIAL/ADMINISTRATOR

Please submit completed form to @budget, City Attorney and City Finance Officer

# Memorandum

**To:** Bill Payne

**From:** Bill Cannon

**cc:** Dennis Malone

**Date:** December 15, 2012

**Re:** Temporary Usage Request #103574  
David Brock (Sports Barn)  
301 Broad Street  
Recommendations Regarding Temporary Usage Request

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I have completed my review of Mr. Brock's request regarding the Temporary Usage of the right of way at 301 Broad St. for the installation of four awnings with signage along a portion of said right-of-way. Please refer to the attached map. My comments are as follows:

- As per submitted drawing, the awnings will project approximately 6 feet into the subject ROW and are not a line of sight issue provided it is install as per submitted sketch.
- As per submitted drawing, the awnings will meet the minimum height requirement above the existing sidewalk.

After review, granting this Temporary Usage does not conflict with the Public's interest. Therefore, I recommend that the request for ***Temporary Usage be granted subject to the following condition.***

- ***The proposed awnings must meet the minimum elevation requirements as per City Codes and Standards.***





SPORTSBARN

it's what you do for you

Rec'd  
DEC - 5 2012

12/4/2012

CK

DEAR MR. CANNON

THIS LETTER WILL CONFIRM  
MY REQUEST FOR TEMPORARY  
USE PERMIT AS SUBMITTED  
BY TENNESSEE AWNING CO.  
WE ARE INSTALLING NEW  
AWNINGS AT 301 BROAD ST.,  
THE OPPOSITE SIDE OF THE  
BUILDING WE OCCUPY AT  
301 MARKET ST.

IF YOU HAVE ANY  
QUESTIONS OR CONCERNS,  
PLEASE DIRECT THEM TO  
ME OR MR. CHRISTENSEN  
AT TENNESSEE AWNING CO.,  
1601 McALLIE AVE.,  
CHATTANOOGA, TN. 37404.

REGARDS,

DAVID ROACH, PRESIDENT  
SPORTSBARN

301 Market Street  
Chattanooga, TN 37402

p: 423.266.1125

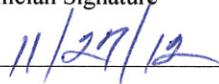
f: 423.756.3710

# SPORTS BARN

November 23, 2012 (Date)

William C. Payne, P. E.  
City Engineer  
Development Resource Center  
1250 Market Street, Suite 2100  
Chattanooga, Tennessee 37402

WO# 103574

<b>For Office Use Only</b>	
	
Technician Signature	
	
Date	

**Re: Request for Temporary Usage**

SR# 675961 **CLOSED** 11-28-2012

RECEIVED

NOV 26 2012

STORM WATER

Dear Mr. Payne:

This is a request for a temporary usage of area above sidewalk at 301 Broad Street, Chattanooga, TN, 37402. The Broad St. side of downtown Sports Barn building. See information attached.

The reason for this request is as follows:  
Sports Barn wants to change the awning shape and style on the Broad Street side of the building.  
The existing awnings are to be taken down and recycled and replaced with the new design.

 **ENTERED**  
COF

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 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.
3. Temporary User will provide full access for maintenance of any utilities located within the easement.
4. Temporary User will obtain any and all other permits, variances, or approvals necessary to accommodate the temporary use.
5. 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.
6. 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 are as follows:  
Tennessee Awning Co., 1601 McCallie Ave., Chattanooga, TN 37404

**(Non-Refundable Processing Fee \$110.00)**

Link Christensen, agent for  11/23/2012  
Print Applicant Name Date

Mr. David Brock, Sports Barn  
Print Owner's Name Date

see attached letter  
Owner's Signature (Required)

**NOTE: This application will not be processed without the owner's signature and a site map/drawing of the location.**



**CITY OF CHATTANOOGA**  
**PUBLIC WORKS DEPARTMENT**  
**SERVICE REQUEST**

Date/Time Printed: 11/28/12 @ 10:09 AM

**CityworksSR #: 675961**

<b>SR Type:</b>	<b>ENG - Temporary Right-of-Way Use</b>		
<b>Submitted to:</b>	<b>CANNON, WILLIAM E</b>	<b>Dispatched:</b>	<b>CANNON, WILLIAM E</b>
<b>Input By:</b>	FISHER, CAROLYN C	<b>Priority:</b>	3
<b>Create Date:</b>	11/28/2012 10:07:49 AM	<b>Status:</b>	CLOSED
<b>District:</b>	8	<b>Due Date:</b>	2/26/2013
<b>Location:</b>	<b>301 BROAD ST 37402</b>		

Question	Answer

**Callers/Complainants**

First Name	Last Name	Address	Apt.	Zip
SPORTS	BARN	301 BROAD STREET		37402
Home Phone	Work Phone	Other Phone		

**Additional Information**

CSRID	
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**Additional Details/Comments:**

By FISHER, CAROLYN C: 11/28/2012 10:07:49 AM

TA&T, LLC

TENNESSEE AWNING COMPANY

1601 McCALLIE AVENUE

P.O. BOX 3093

CHATTANOOGA, TN 37404

REQUEST FOR TEMPORARY R-O-W USAGE ABOVE SIDEWALK AT 301 BROAD STREET, CHATTANOOGA, TN, 37402. THE BROAD ST. SIDE OF DOWNTOWN SPORTS BARN BUILDING. REASON: SPORTS BARN WANTS TO CHANGE THE AWNING SHAPE AND STYLE ON THE BROAD STREET SIDE OF THE BUILDING. THE EXISTING AWNINGS ARE TO BE TAKEN DOWN AND RECYCLED AND REPLACED WITH THE NEW DESIGN.



**CITY OF CHATTANOOGA  
PUBLIC WORKS DEPARTMENT  
UNIFIED WORK ORDER**

Project/Funding:

Work Order Number: \* 1 0 3 5 7 4 \*



**Address: 301 BROAD ST**

Tax Map/Grid: 135N

<b>Required Work Type:</b> ENG - Temporary Use		<b>Category:</b> ADMIN		<b>Date Needed:</b> 1/27/2013	
<b>WO Initiated:</b> 11/28/2012 10:08:36 AM	<b>Initiated By:</b> FISHER, CAROLYN C	<b>Requested By:</b> CANNON, WILLIAM E	<b>Priority:</b> 3	<b>Transferred To/Submitted to:</b> CANNON, WILLIAM E - 11/28/2012 10:08:46 AM	<b>Status:</b> UNDINV

**Instructions:**

**Comments:**

From: Request ID: 675961, 11/28/2012 10:08:23 AM Problem Details:

By FISHER, CAROLYN C: 11/28/2012 10:13:54 AM  
REQUEST FOR TEMPORARY R-O-W USAGE ABOVE SIDEWALK AT 301 BROAD STREET, CHATTANOOGA, TN ,  
37402. THE BROAD ST. SIDE OF DOWNTOWN SPORTS BARN BUILDING. REASON: SPORTS BARN WANTS TO  
CHANGE THE AWNING SHAPE AND STYLE ON THE BROAD STREET SIDE OF THE BUILDING. THE EXISTING  
AWNINGS ARE TO BE TAKEN DOWN AND RECYCLED AND REPLACED WITH THE NEW DESIGN.

**Date Completed:**

**Supervisor:**

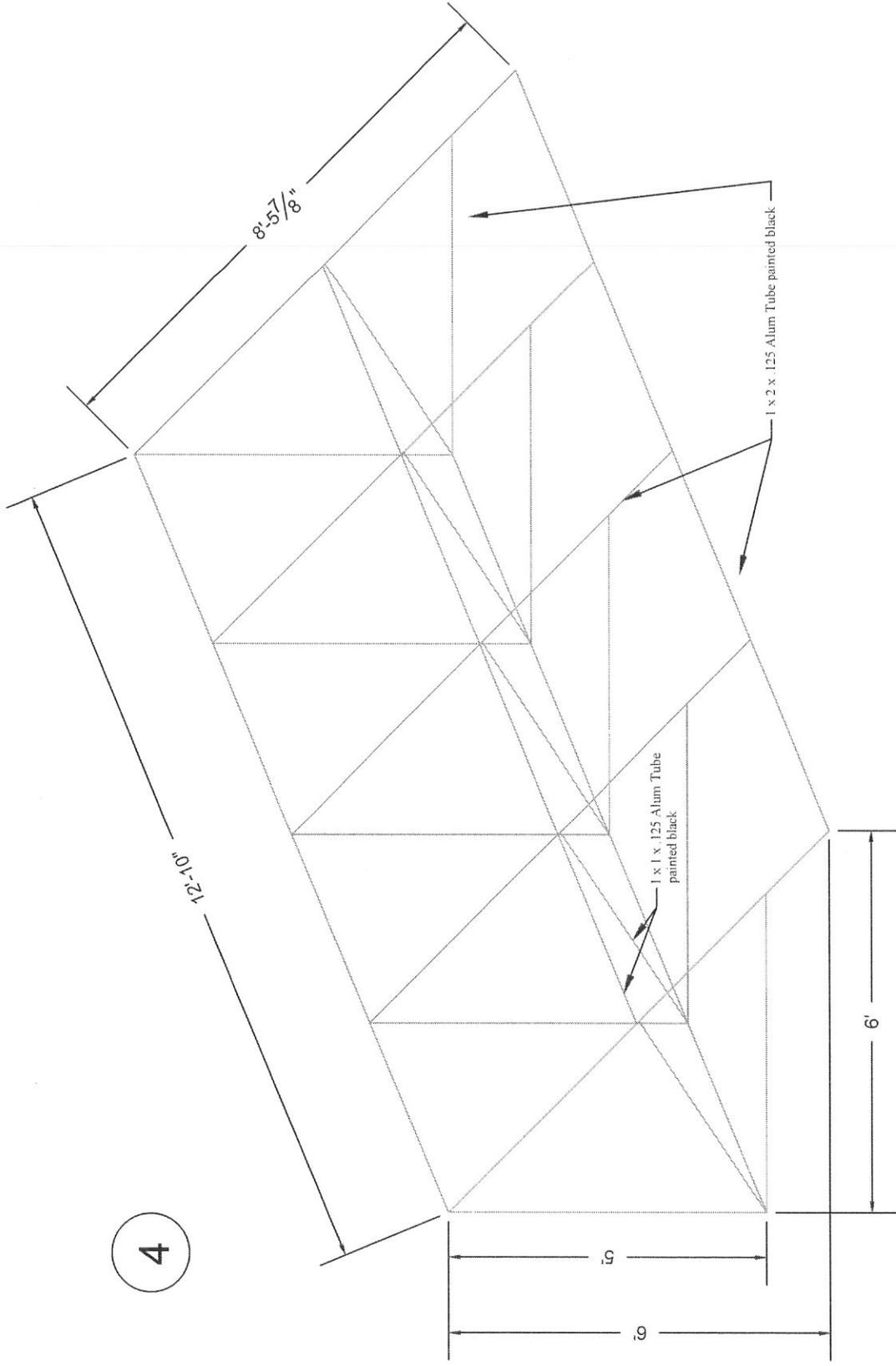
**WO Closed :**

**Associated Service Request(s), If Any:**

SR#	Date/Time Init.	Priority	Description	Problem Address
675961	11/28/2012 10:07:49 AM	3	ENG - Temporary Right-of-Way Use	301 BROAD ST
<b>Customer Name</b> BARN, SPORTS			<b>Customer Work Phone</b>	<b>Customer Zip</b> 37402

**Work Comments/Results:**

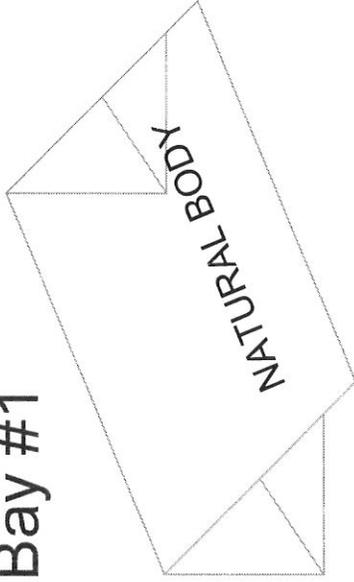
4



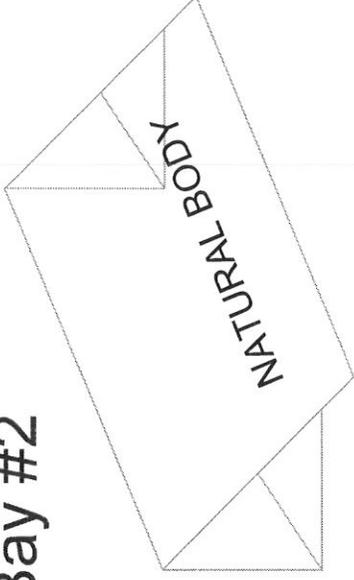
SPORTS BARN: 301 Broad Street 4 - units this size, replacing existing awnings. Lettering as required. No ends, use Black Ferrari 502 coated polyester flame retardant covering, no valence, no scallop, weld all seams. no sewing required.

Tennessee Awning Co 423-622-7024 Dwg 11 23 12 Ihc

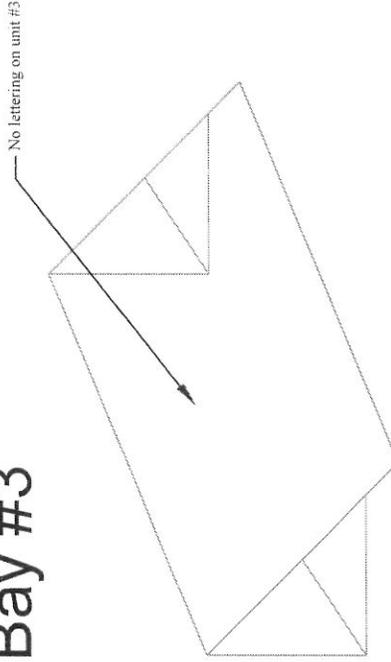
Bay #1



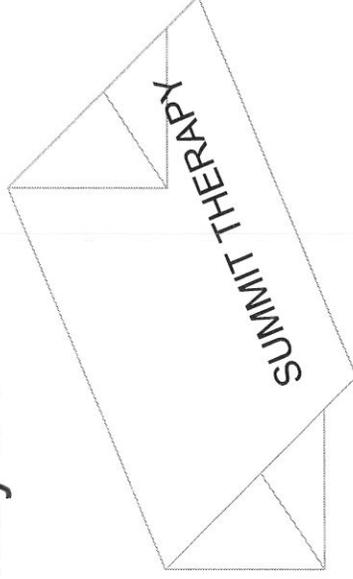
Bay #2



Bay #3



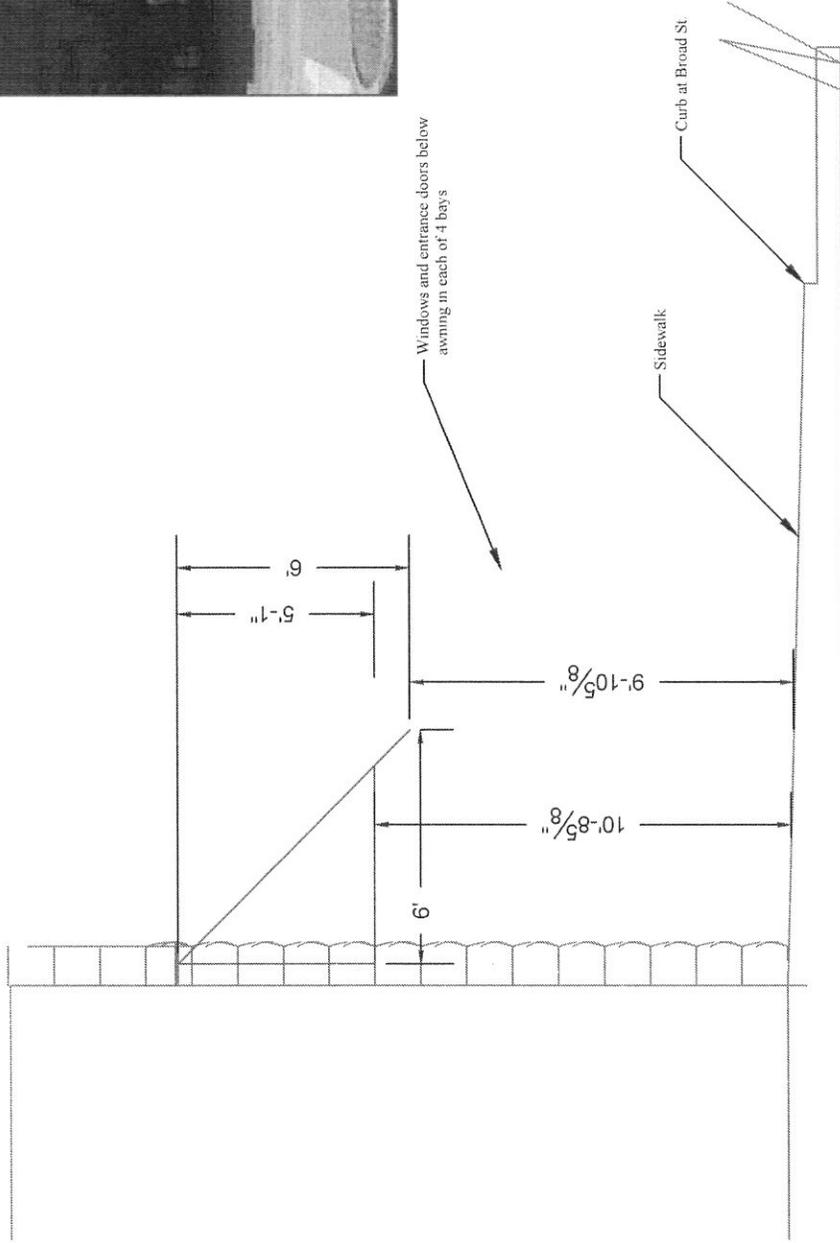
Bay #4



SPORTS BARN: 301 Broad Street 4 - bays #1,#2, #3, #4  
Lettering as shown. Approx 10" tall. White special "block" letter style.  
Tennessee Awning Co. 423-622-7024  
Dwg 11 23 12 lhc



Picture of awning locations



Section view of 4 awnings installed at 301 Broad St on the Sports Barn Building.  
 Installs inside the recessed bays fastening to steel lintel above and wood casing  
 on sides. Includes 4 bays - 4 awnings total

Tennessee Awning Co. 423-622-7024  
 Dwg 11 23 2012 lhc



COPY



Address **301 Broad St**  
**Chattanooga, TN 37402**

Get Google Maps on your phone  
Text the word "GMAPS" to 466453




COPY

TA&T, LLC  
Tennessee Awning Company  
1601 McCallie Ave.  
P.O. Box 3093  
Chattanooga, TN 37404

FIRST BANK  
Chattanooga, TN 37421  
87-703/843

001711

11/23/2012

PAY  
TO THE  
ORDER OF

\$ \*\*110.00

DOLLARS

One Hundred Ten and 00/100 \*\*\*\*\*

City of Chattanooga  
Public Works Department  
900 East 11th Street  
Chattanooga, TN 37403

*[Handwritten Signature]*  
AUTHORIZED SIGNATURE



MEMO

Sports Barn Temp Use Permit

⑈001711⑈ ⑆084307033⑆ 86440598⑈



CITY OF CHATTANOOGA

RECEIPT NO. 193616

DATE 11/27/12  
Received from TA&T Awning Company  
Amount of One Hundred Ten and 00/100 Dollars and 00 Cents  
For Temp Usage - 301 Broad St

Cash \$ \_\_\_\_\_  
 Check \$ 110.00 #1911

*[Handwritten Signature]*  
Department/Division  
*[Handwritten Signature]*  
Signature