

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING ZEKE ARTER AND TREY WALL TO USE TEMPORARILY 407 BROAD STREET TO INSTALL A SIGN ABOVE THE EXISTING AWNING ATTACHED TO THE SIDE OF THE BUILDING, AS SHOWN ON THE PHOTO AND DRAWING 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 ZEKE ARTER AND TREY WALL, (hereinafter referred to as “Temporary Users”) be and are hereby permitted to use temporarily 407 Broad Street to install a sign above the existing awning attached to the side of the building, as shown on the photo and drawing 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 Users 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 applicants by the Chattanooga City Council. Temporary Users agree 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 Users agree to vacate the property and temporary use upon reasonable notice from the City to do so.

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

4. Temporary Users shall obtain necessary permits and approvals.

5. The awning from its base to the top of the existing surface/sidewalk is to meet the minimum elevation requirements per city codes and standards.

6. Final sign placement shall meet any City of Chattanooga codes or requirements regarding signage.

ADOPTED: _____, 2014

/mem

City of Chattanooga



Resolution Request Form

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

Date Prepared: October 13, 2014

Preparer: Blythe Bailey *BB*

Department: Transportation

Brief Description of Purpose for Resolution:

Resolution Number (if approved by Council):

District 7

A City Council Action is requested to authorize, Mr. Zeke Arter and Mr. Trey Wall at 407 Broad Street, a request for Temporary Usuage No. 137312 to install a sign above the existing awning that is attached to the side of the building as shown on the attached photo and drawing.

CDOT RECOMMENDATION: APPROVE

Total project cost \$ n/a
Total City of Chattanooga Portion \$ n/a
City Amount Funded \$ n/a
New City Funding Required \$ n/a
City's Match Percentage % n/a

New Contract/Project? (Yes or No) n/a
Provide Fund n/a
Provide Cost Center n/a
Proposed Funding Source n/a
Grant Period (if applicable) n/a

List all other funding sources and amount for each contributor.

	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: Fritz Brogdon *FB*
From: Ed Bowen *EB*
cc: Bertran Kuyrkendall; Brandon Sutton *BS*
Date: October 6, 2014
Re: Temporary Usage Request #137312
407 Broad Street (District 7)
Zeke Arter / Trey Wall

Recommendations Regarding Temporary Usage Request

I have completed my review of Mr. Arter's request regarding Temporary Usage at 407 Broad Street to install a sign (approximately 36"x48") above the existing awning that is attached to the side of the building as shown on the attached photo and drawing. My comments are as follows:

- The sign will project approximately 48" into the sidewalk's air space.
- The city of Chattanooga has no sanitary sewer infrastructure in the subject portion of the area.

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 with these conditions:*

- The applicant shall obtain necessary permits and approvals.
- The awning from its base to the top of the existing surface/sidewalk is to meet the minimum elevation requirements per city codes and standards.
- Final sign placement shall meet any city of Chattanooga codes or requirements regarding signage.



SR # 883456

WO # 137312

8/27/14

(DATE)

Bertran Kuyrkendall, P.E.
Transportation Engineer
Development Resource Center
1250 Market Street, Suite 3000
Chattanooga, Tennessee 37402

For Office Use Only

Technician Signature

Re: Request for Temporary Usage

Dear Mr. Kuyrkendall:

This is a request for a temporary usage of Projecting Sign 36"x48" ABOVE EXISTING
AWAITING ATTACHED TO SIDE OF BUILDING AT 407 BROAD ST

The reason for this request is as follows:

We are waiting to apply for a variance

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 agrees to 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 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.
4. Temporary User will provide full access for maintenance of any utilities located within the easement.
5. Temporary User will obtain any and all other permits, variances, or approvals necessary to accommodate the temporary use.
6. 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.
7. 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 is as follows:

407 Broad St., Chattanooga, TN 37402
423-867-9208 (email address)

Zeke Arter
(Print) Applicant Name

(Sign) Applicant Name

8/27/2014
Date

zeke Arter
(Print) Owner's Name

(Sign) Owner's Name

8/27/2014
Date

This application must include the owner's signature and a site map of the referenced location to complete processing.

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

Zeke Arter/Trey Wall

District: 7 Temporary Use: 407 Broad Street

Sign attached to side of building above awning

W 4th St

Broad St

TEMP SE

410

404

408

401

401

401

407

407 407

411



