

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

A RESOLUTION AUTHORIZING CERTIFIED LIGHTING C/O KRIST BIBA, AGENT FOR FULL MOON, TENANT OF THE PROPERTY OWNER, NORTHSHORE PARTNERS, LLC TO USE TEMPORARILY THE RIGHT-OF-WAY LOCATED ON THE WEST SIDE OF NORTH MARKET STREET IN FRONT OF THE PROPERTY LOCATED AT 4 CHEROKEE BOULEVARD TO INSTALL SIGNAGE, AS SHOWN ON THE MAPS ATTACHED HERETO AND MADE A PART HEREOF BY REFERENCE, SUBJECT TO CERTAIN CONDITIONS.

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BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CHATTANOOGA, TENNESSEE, That CERTIFIED LIGHTING C/O KRIST BIBA, AGENT FOR FULL MOON, TENANT OF THE PROPERTY OWNER, NORTHSHORE PARTNERS, LLC, (hereinafter referred to as “Temporary User”) be and is hereby permitted to use temporarily the right-of-way located on the West Side of North Market Street in front of the property located at 4 Cherokee Boulevard to install signage, 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. Temporary User shall provide adequate access for maintenance of any utilities located within the easement.

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

5. Any overhead projecting objects must meet the minimum height requirements as per the City of Chattanooga's Codes and Standards.

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: \_\_\_\_\_, 2015

/mem

# City of Chattanooga



## Resolution/Ordinance Request Form

Date Prepared: September 10, 2015

Preparer: Bertran Kuyrkendall

Department: Transportation

Brief Description of Purpose for Resolution/Ordinance: \_\_\_\_\_ Res./Ord. # \_\_\_\_\_ Council District # 1

A City Council Resolution is requested to authorize Temporary Usage Request #153888 for Krist Biba of Certified Lighting, agent for the business Full Moon, tenant of the property owner, Northshore Partners LLC, for the temporary usage of the right-of way on the West side of North Market Street in front of the property located at 4 Cherokee Boulevard to install signage.

### 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.

<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:  \_\_\_\_\_  
DESIGNATED OFFICIAL/ADMINISTRATOR

Reviewed by: FINANCE OFFICE

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

Revised: October, 2011

# Memorandum

**To:** Brandon Sutton <sup>BS</sup>  
**From:** Kari Lawman  
**cc:** Bert Kuyrkendall  
**Date:** September 9, 2015  
**Re:** Temporary Usage Request # 153888  
Krist Biba (Certified Lighting) for Northshore Partners LLC (Leslie Lunsford, Jr.)  
4 Cherokee Blvd (District 1)

## RECOMMENDATION: APPROVAL WITH CONDITIONS

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This application was received on July 9, 2015, from Krist Biba of Certified Lighting, agent for the business, Full Moon, tenant of property owner, Northshore Partners LLC (Leslie Lunsford, Jr.). The business, Full Moon, intends to install signage on the east of the business. The application is requesting the usage of right-of-way along N. Market Street.

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:***

- The applicant shall obtain necessary permits and approvals from the City of Chattanooga Land Development Office.
- Any overhead projecting objects must meet the minimum height requirements as per the City of Chattanooga's Codes and Standards.
- 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.

pd. check # 2183

(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

<b>For Office Use Only</b>	
<i>Jawman</i>	7/9/15
Technician Signature / Date	
153888	①
Request No.	

**RE: Request for Temporary Usage**

Dear Mr. Kuyrkendall:

4 Cherokee Blvd. ~~411 N. Market St.~~ 135F H 005

This is a request for temporary usage of an area over a sidewalk for a projecting sign.

The reason for the request is as follows: To have a sign like the other businesses around us so customers can know what business is at this location.

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, phone number and email address is as follows:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Krist Biba  
(Print) Applicant Name

[Signature]  
(Sign) Applicant Name

7/8/15  
Date

NORTHSHORE PARTNERS, LLC.  
(Print) Property Owner Name

[Signature]  
(Sign) Property Owner Name

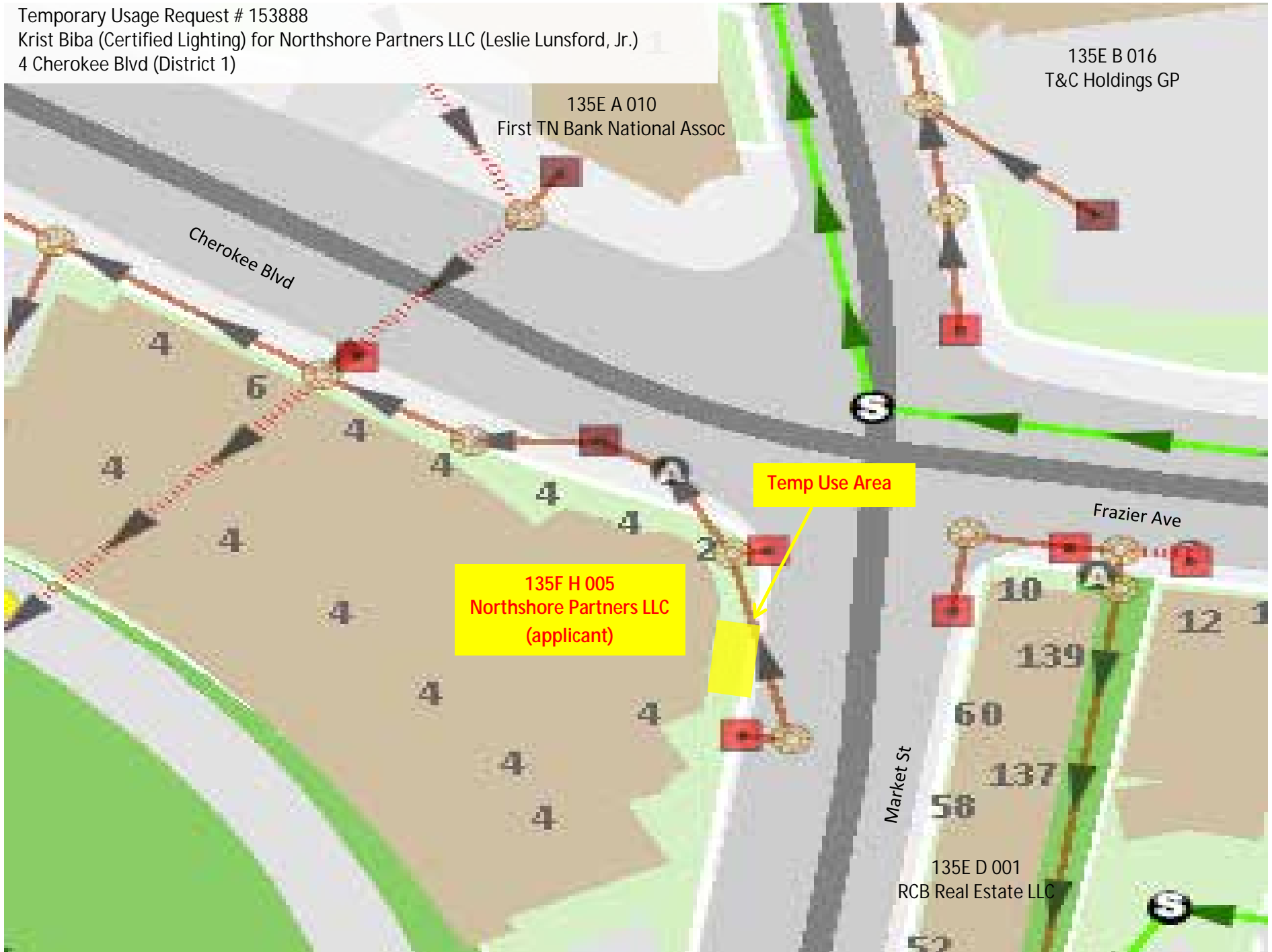
7/8/15  
Date

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

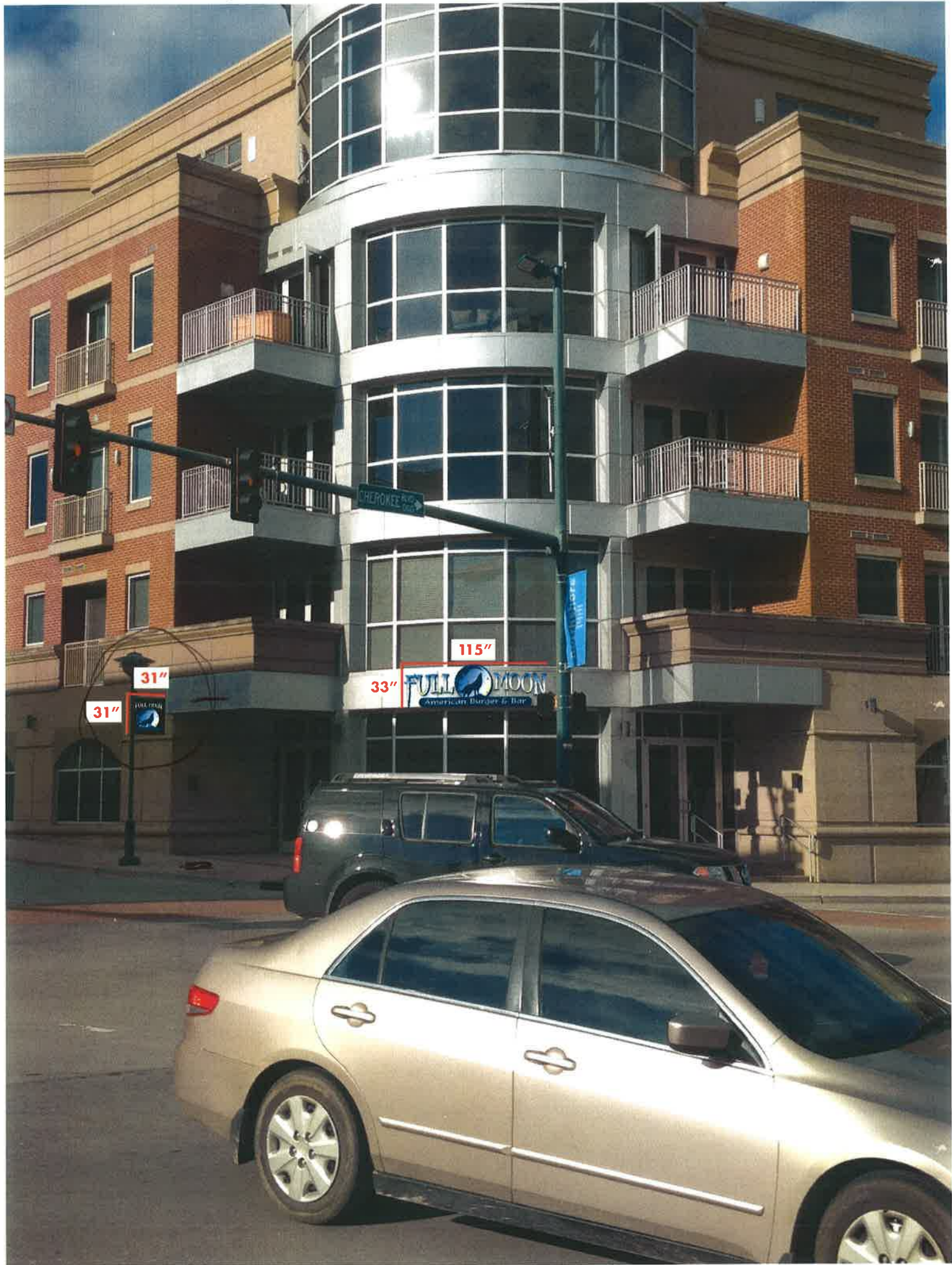
Temporary Usage Request # 153888

Krist Biba (Certified Lighting) for Northshore Partners LLC (Leslie Lunsford, Jr.)

4 Cherokee Blvd (District 1)







CHEPONEE

115"

33"

FULL MOON  
American Burger & Bar

31"

31"

