

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

A RESOLUTION AUTHORIZING SOUTHERN ADVERTISING AND SIGN SERVICE, LLC C/O AARON BROWN, FOR PROPERTY OWNER, CHESTNUT CENTER PARTNERS, LLC C/O VYOMESH DESAI, TO USE TEMPORARILY THE RIGHT-OF-WAY LOCATED ALONG CHESTNUT STREET ADJACENT TO 730 CHESTNUT STREET TO INSTALL SIGNAGE, 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 SOUTHERN ADVERTISING AND SIGN SERVICE, LLC C/O AARON BROWN, FOR PROPERTY OWNER, CHESTNUT CENTER PARTNERS, LLC C/O VYOMESH DESAI, (hereinafter referred to as “Temporary User”) be and is hereby permitted to use temporarily the right-of-way located along Chestnut Street adjacent to 730 Chestnut Street 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. Any overhead projecting objects must meet the minimum height requirements as per the City of Chattanooga's Codes and Standards. (Section 32-8) Minimum height requirement is eight (8') feet above the sidewalk at all points.

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

5. 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 #** \_\_7\_\_

A resolution authorizing Temporary Usage Request TU 2016-032 for Aaron Brown (Southern Advertising & Sign Service, LLC) for property owner Vyomesh Desai (Chestnut Center Partners, LLC) for the temporary usage of the right-of-way along Chestnut Street adjacent to 730 Chestnut Street 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 <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 2016-032  
Aaron Brown (Southern Advertising & Sign Service, LLC) for Vyomesh Desai (Chestnut Center Partners, LLC)  
730 Chestnut Street (District 7)

## RECOMMENDATION: APPROVAL WITH CONDITIONS

---

This application was received from Aaron Brown (Southern Advertising & Sign Service, LLC), agent for the property owner Vyomesh Desai (Chestnut Center Partners, LLC). The applicant requests temporary usage of the right-of-way adjacent to 730 Chestnut Street to install signage.

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:***

- Any overhead projecting objects must meet the minimum height requirements as per the City of Chattanooga's Codes and Standards (Section 32-8). Minimum height requirement is eight (8) feet above the sidewalk at all points.
- 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.

5/17/2016

Bertran Kuyrkendall, P.E.  
Transportation Engineer,  
Chattanooga Department of Transportation  
Development Resource Center  
1250 Market Street, Suite 3030  
Chattanooga, TN 37402  
(423) 643-5950

Pd ck # 17464

**For Office Use Only**

\_\_\_\_\_  
Technician Signature / Date

TU 2016-032

\_\_\_\_\_  
Request No.

**RE: Request for Temporary Usage**

Dear Mr. Kuyrkendall:

This is a request for temporary usage of Side wall facing Chestnut St. Address: 730 Chestnut St Tax Map ID 145CB A 007

The reason for the request is as follows: Attached Permanent Sign

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: 90 W 28<sup>th</sup> St Chattanooga, TN 37408 423-266-9778  
aaron.southernad@gmail.com

Aaron Brown  
(Print) Applicant Name

Aaron Brown  
(Sign) Applicant Name

5/17/16  
Date

Yvonne D. Davis - Chestnut Center Park, LLC  
(Print) Property Owner Name

[Signature]  
(Sign) Property Owner Name

05/17/16  
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)

5/17/2016

Bertran Kuyrkendall, P.E.  
Transportation Engineer,  
Chattanooga Department of Transportation  
Development Resource Center  
1250 Market Street, Suite 3030  
Chattanooga, TN 37402  
(423) 643-5950

**RE: Acting Agent Letter – Temporary Usage of Right of Way**

Dear Mr. Kuyrkendall:

I am formally requesting the City of Chattanooga accept the attached Temporary Usage of Right of Way application, submitted by my Agent, Aaron Brown , on my behalf.

Applicant Printed Name: Vyomesh Desai - Chestnut Center Park, LLC

Applicant Signature: 

Date: 05/17/2016

Agent Printed Name: Aaron Brown

Agent Signature: 

Date: 5/17/16

**SOUTHERN ADVERTISING**  
 & SIGN SERVICE, L.L.C.

90 W. 28th Street  
 Chattanooga, TN 37408  
 423.266.9778  
 Fax 423.266.9781

THIS DRAWING WAS CREATED BY  
 AND IS THE EXCLUSIVE PROPERTY  
 OF SOUTHERN ADVERTISING, LLC.  
 IT IS NOT TO BE COPIED IN PART OR  
 WHOLE WITHOUT WRITTEN CONSENT

CLIENT

ViaNova

SCALE 3/4" = 1'

DATE 5/11/2016

DWG. # 1605113

W.O. #

NOTES

Single-face illuminated sign.

All aluminum fabrication. Internal LED lighting.



S:\Core\Draw Files\Aaron\ViaNova\Street Corner.cdr

NOTE: ALL COLORS ARE SIMULATIONS ONLY.  
 PLEASE REFER TO CORRESPONDING  
 MATERIALS COLOR CHART OR CHIP FOR  
 SPECIFIC COLOR MATCHING



DESIGNER	SALES REP	SALES REP APPROVAL
B.O.	A.B.	

DATE

CUSTOMER APPROVAL

DATE

SIGN



730 Chestnut St

The Clemons

CHESTNUT

W 8<sup>th</sup>

TU 2016-032  
730 Chestnut St.



Chestnut St.

Broad St.

W. 8th St.

Temp. Use Area