

RESOLUTION NO. RS2019-1829

A resolution authorizing Pilcher Building Partners, LP to construct and install an aerial encroachment at 144 2nd Avenue North for (Proposal No.2019M-017EN-001).

WHEREAS, Pilcher Building Partners, LP, plans to construct, install and maintain an aerial encroachment, under Proposal No. 2019M-017EN-001, at 144 2nd Avenue North; and,

WHEREAS, Proposal No. 2019M-017EN-001 is comprised of one projecting sign, measuring 2 feet, 11 inches by 2 feet, 8.17 inches and one sign on the existing awning encroaching the public right-of-way on property located at 144 2nd Avenue North, and,

WHEREAS, Pilcher Building Partners, LP, has agreed to indemnify and hold The Metropolitan Government of Nashville and Davidson County harmless of any and all claims for damages of every nature and kind resulting from or arising from the installation of said aerial encroachment; and,

WHEREAS, Metropolitan Code of Laws §13.16.030(A) allows the Council of The Metropolitan Government of Nashville and Davidson County to grant encroachments, permits, or privileges to construct, maintain and/or operate aerial cables, canopies, etc., over and/or across sidewalks and public rights-of-way by Resolution adopted by twenty-one (21) affirmative votes.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY:

Section 1. That subject to the requirements, limitations and conditions, Pilcher Building Partners, LP is hereby granted the privilege to construct and maintain said aerial encroachment accordance with the plans which are on file in the office of the Director of Public Works, and which are more particularly described by lines, words and figures on the attached sketches which are attached to and made a part of this Resolution.

Section 2. That the authority granted hereby for the construction, installation, operation, and maintenance of said aerial encroachment shall not be construed as a surrender by the Metropolitan Government of its rights or power to pass resolutions or ordinances regulating the use of its streets, or the right of the Metropolitan Government through its legislative body, in the interest of public necessity and convenience to order the relocation of said facilities at the expense of Pilcher Building Partners, LP.

Section 3. That plans and specifications for said aerial encroachment shall be submitted to the Director of Public Works of The Metropolitan Government of Nashville and Davidson County for approval before any work is begun; and all work, material, and other details of said installation shall be approved by the Director of Public Works prior to its use by Pilcher Building Partners, LP.

Section 4. That construction and maintenance of said aerial encroachment shall be under the direction, supervision, and control of the Director of Public Works, and its installation, when completed, must be approved by said Director.

Section 5. That this Resolution confers upon Pilcher Building Partners, LP, a privilege and not a franchise, and the Mayor and the Metropolitan Council herein expressly reserve the right to repeal this Resolution, whenever, in their judgment, a repeal may be demanded by public welfare, and such repeal shall confer no liability on The Metropolitan Government of Nashville and Davidson County, its successors and assigns, by reason of said repeal. In the event of such repeal by said Metropolitan Government, Pilcher Building Partners, LP, its successors and assigns, shall remove said aerial encroach at their own expense.

Section 6. Pilcher Building Partners, LP, shall pay all cost incident to the construction, installation, operation and maintenance of said aerial encroachment and shall save and hold The Metropolitan Government of Nashville and Davidson County harmless from all suits, costs, claims, damages or judgments in any way connected with said construction, installation, operation and maintenance of said aerial encroachment and shall not claim, set up or plead, as a defense, in the event of joint liability, with or without suit, that it and the Metropolitan Government were joint wrongdoers. Pilcher Building Partners, LP shall be responsible for the expense, if any, of repairing and returning right of way to the condition which it was in prior to the installation of said aerial encroachment, and for any street closure.

Section 7. That the authority granted to Pilcher Building Partners, LP, as herein described, shall not in any way interfere with the rights of the Metropolitan Government, its agents, servants, and/or contractors and utility companies, operating under franchise from the Metropolitan Government to enter, construct, operate, maintain, repair, rebuild, enlarge, and patrol its now existing or future utilities, including drainage facilities, together with their appurtenances, and to do any and all things necessary and incidental thereto.

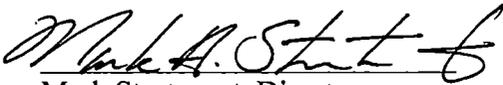
Section 8. Pilcher Building Partners, LP, shall and is hereby required to furnish The Metropolitan Government of Nashville and Davidson County a certificate of public liability insurance, naming The Metropolitan Government as an insured party, of at least two million (\$2,000,000) dollars aggregate, for the payment of any judgment had on any claim, of whatever nature, made for actions or causes of action arising out of, or connected with, the construction of installation of said aerial encroachment. Said certificate of insurance shall be filed with the Metropolitan Clerk and the Department of Public Works prior to the granting of a permit, and the insurance required herein shall not be canceled without the insurance company or companies first giving thirty (30) days written notice to The Metropolitan Government of Nashville and Davidson County.

Section 9. That said construction shall be carefully guarded and protected, and shall be completed promptly, so as to cause the least inconvenience to the public. The acceptance by Pilcher Building Partners, LP of all provisions of this Resolution shall be determined by the beginning of work.

Section 10. The authority granted pursuant to this Resolution shall not become effective until the certificate of insurance, as required in Section 8, has been posted with the Metropolitan Clerk and the Department of Public Works.

Section 11. This Resolution shall take effect from and after its adoption, the welfare of The Metropolitan Government of Nashville and Davidson County requiring it.

RECOMMENDED BY:



Mark Sturtevant, Director
Department of Public Works

RECOMMENDED BY:

Member(s) of Council

APPROVED AS TO FORM
AND LEGALITY:



Assistant Metropolitan Attorney

Electronic Signature Page

(Attach to Legislation Pursuant to Rule 8 of the Council Rules of Procedure)

A handwritten signature in black ink, appearing to read "Freddie O'Connell". The signature is written in a cursive style with a large initial 'F' and 'O'.

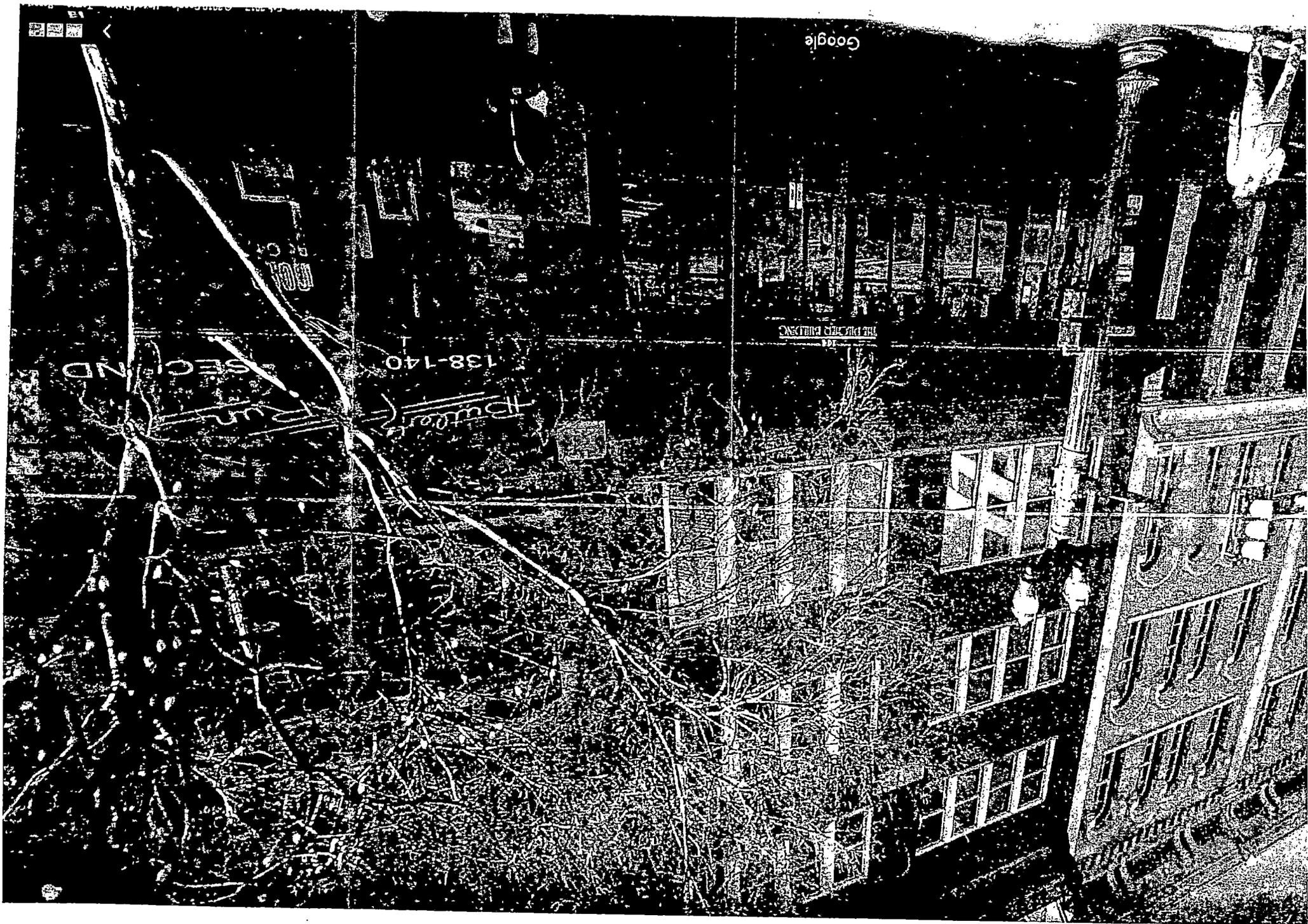
Freddie O'Connell
Councilmember, District 19

Electronic Signature Page

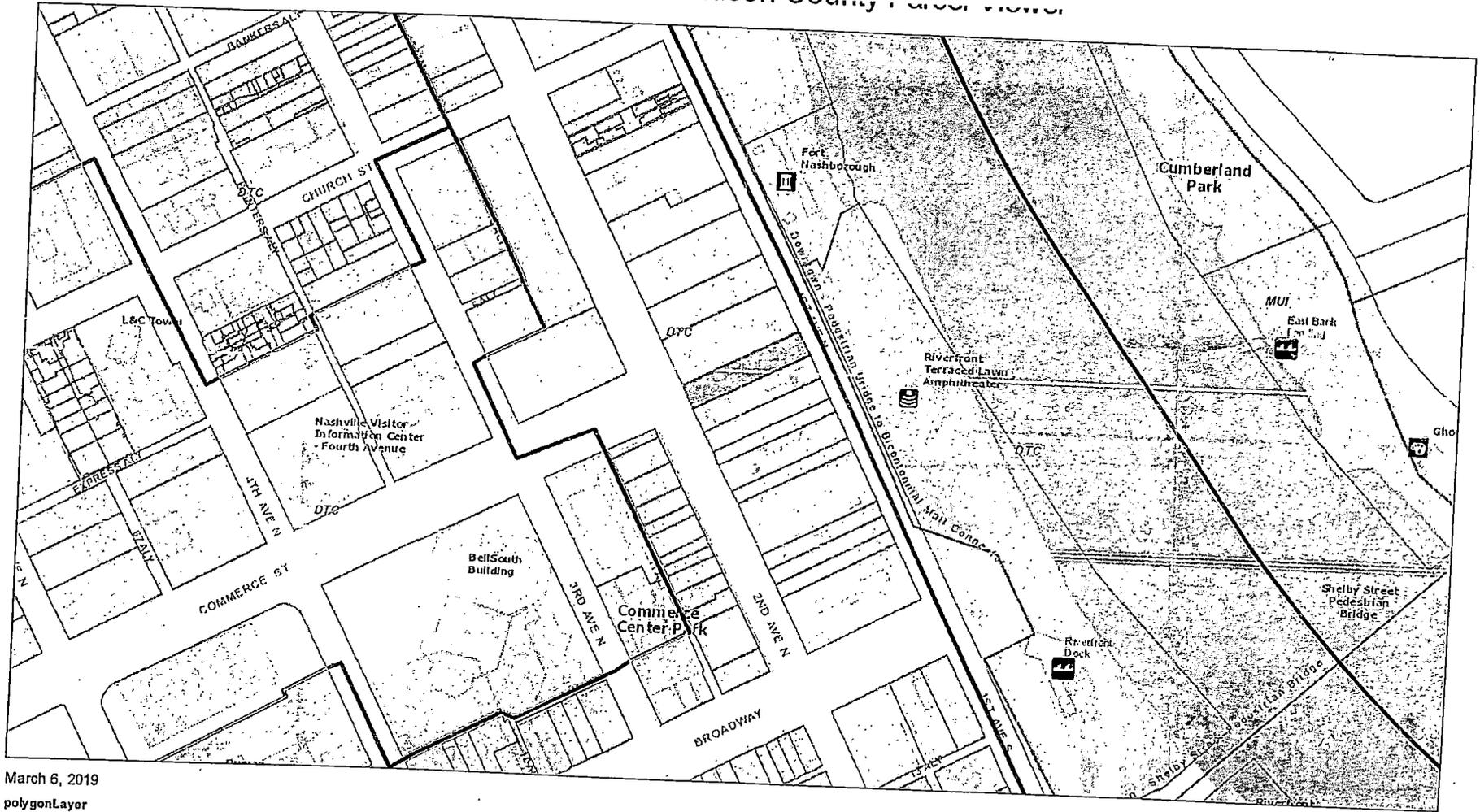
(Attach to Legislation Pursuant to Rule 8 of the Council Rules of Procedure)

A handwritten signature in black ink, appearing to read "Fabian Bedne". The signature is written in a cursive style with a prominent loop at the beginning and a horizontal line at the end.

Fabian Bedne
Councilman, District 31



Nashville / Davidson County Aerial View

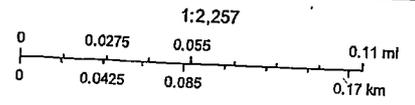


March 6, 2019

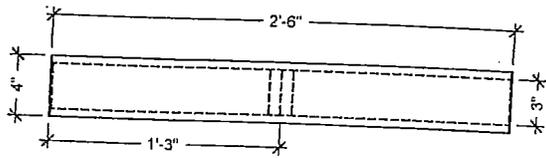
polygonLayer

Override 1

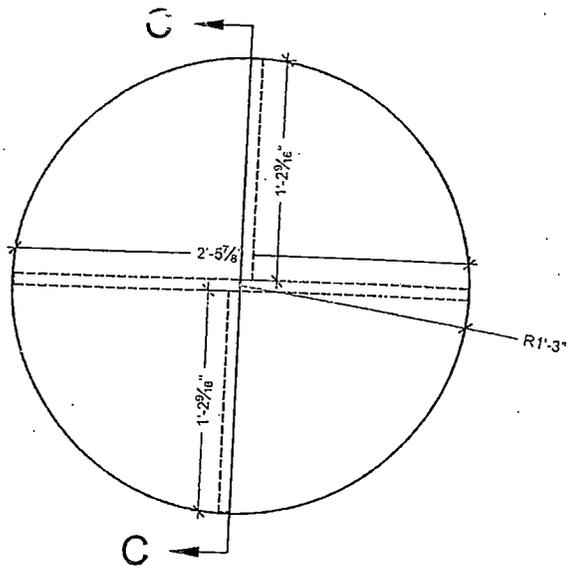
- Ownership Parcels
- Planned Unit Development
- Zoning



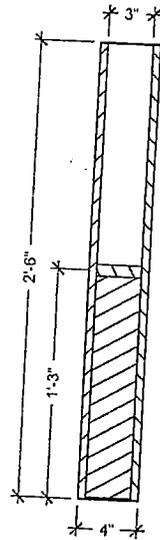
Nashville Planning Department, MetroGIS
Metro GIS



TOP VIEW



FRONT VIEW



SECTION C-C
SCALE 1-1/2" = 1'-0"

- Notes:
- Double Sided Sign
 - Build 2
 - 1x Int. Frame
 - Edge Joined Walnut Face
 - Plate Steel Edging

1 Sidewalk Sign
Scale: 1 1/2" = 1'-0" QTY. 2

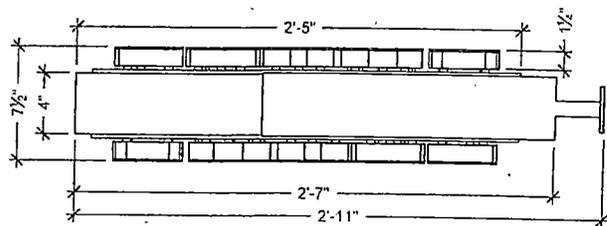
CONCRETE PRODUCTION
1000 N. 10th Street
Tulsa, Oklahoma 74103
918.438.1234

GEN: GMR

PROJECT: Copenhagen Snuff Shop

DATE: 01.17.2019

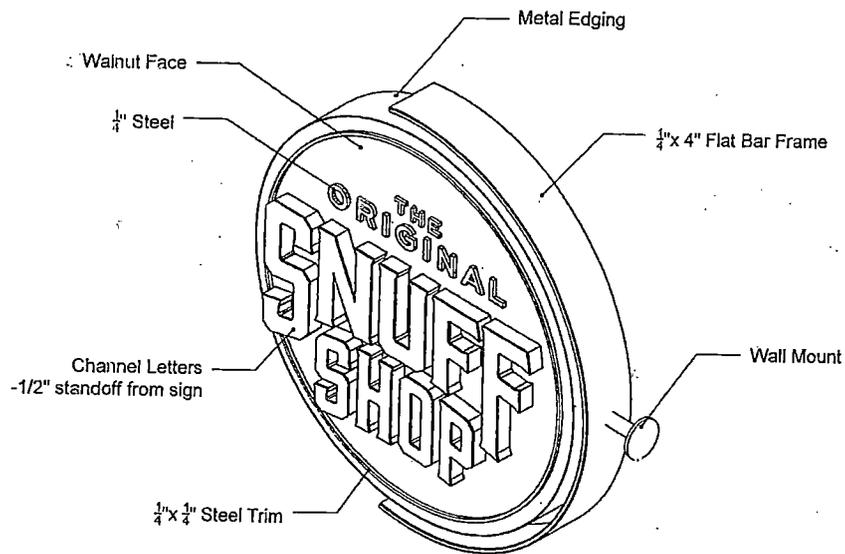
PROJECT MANAGER	TECHNICAL DIRECTOR
DESIGNED BY	DATE
T. Martin	01.17.2019



TOP VIEW



FRONT VIEW



ISOMETRIC VIEW

- Notes:
- Double Sided Sign
 - Build 2
 - 1x Int. Frame
 - Edge Joined Walnut Face
 - Plate Steel Edging
 - "Snuff Shop" Channel Letters
 - "The Original" 1/4" Plate Steel, Water Jet Cut
 - 1/4" x 4" Flat Bar Ext. Frame

1 Sidewalk Sign
Scale: 1 1/2" = 1'-0" QTY 2

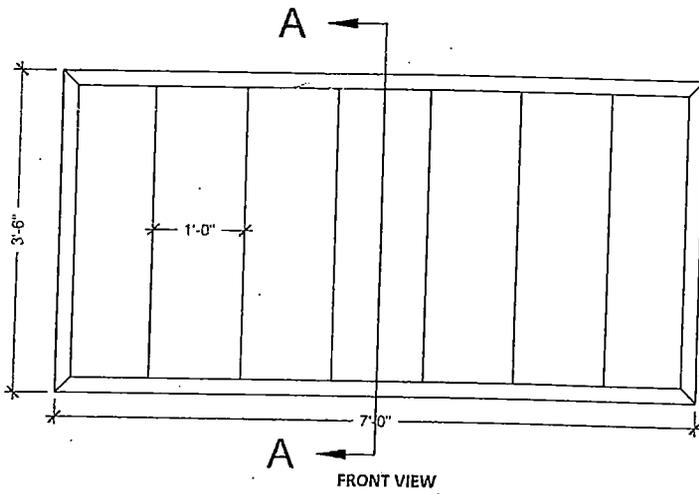
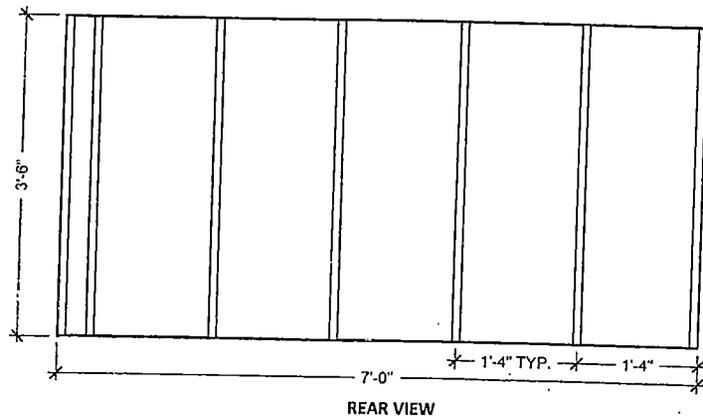
GENERAL SIGN PRODUCTION
1000 S. LINCOLN ST. #100
MILWAUKEE, WI 53211
TEL: 414-224-4444 FAX: 414-224-4445

CLIENT: GMR

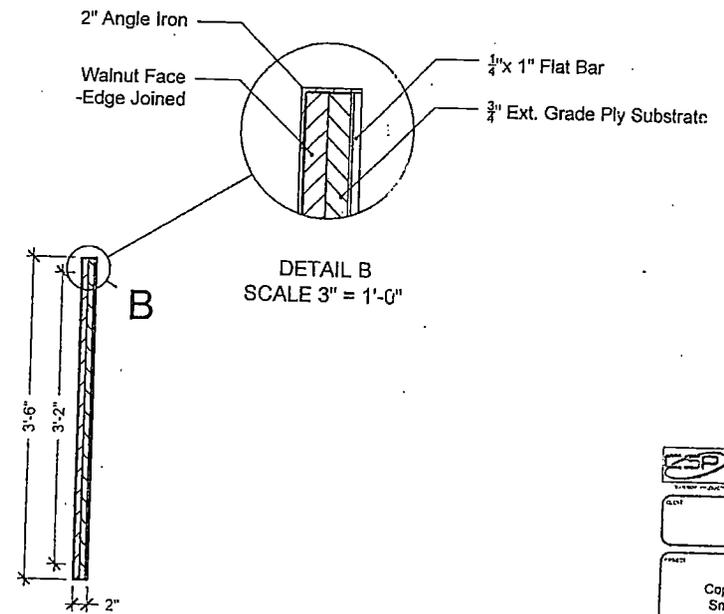
PROJECT: Copenhagen Snuff Shop

OTHER: Sidewalk Sign Overview 3

DESIGNED BY: T. Martin	DATE: 01.17.2019
SCALE: 1 1/2" = 1'-0"	SHEET: 01.17.2019



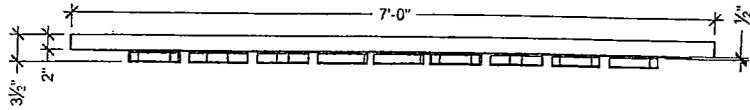
- Notes:
- 2" Angle Iron + $\frac{1}{4}$ "x1" Flat Bar Frame
 - Exterior Grade $\frac{3}{4}$ " Ply Substrate
 - Edge Joined Walnut Face



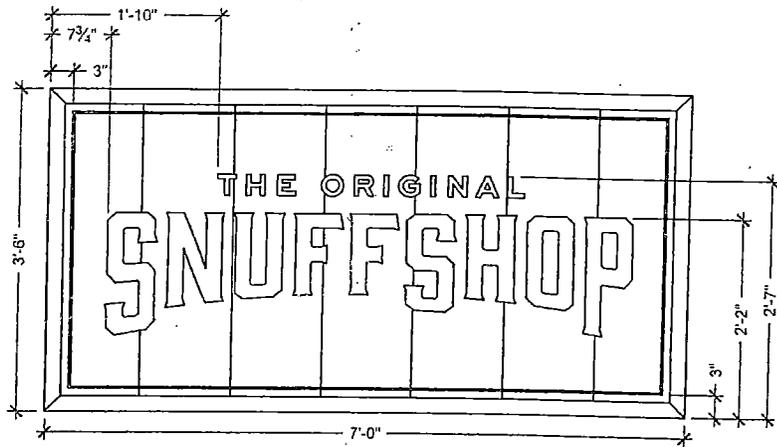
1 Primary Sign Frame
Scale: 3/4" = 1'-0"

CLIENT	GMR
PROJECT	Copenhagen Snuff Shop
DETAIL	Primary Sign Frame
PROJECT NUMBER	TECHNICAL SHEET 2

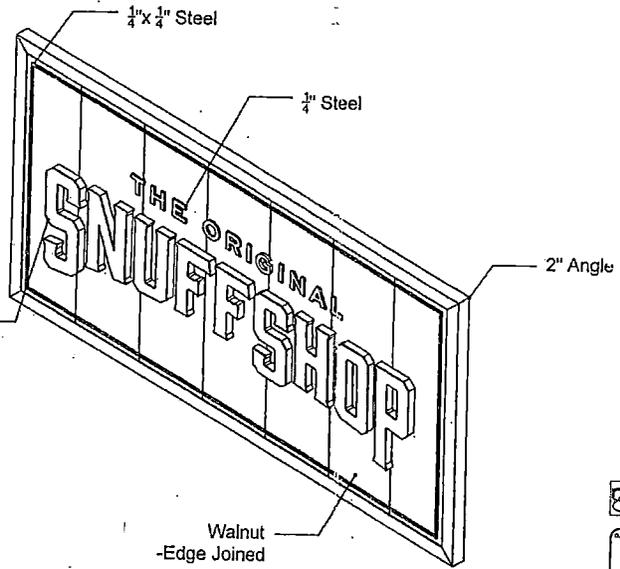
- Notes:
- 2" Angle Iron + 1/4"x1" Flat Bar Frame
 - Exterior Grade 3/4" Ply Substrate
 - Edge Joined Walnut Face
 - "Snuff Shop" Channel Letters
 - "The Original" 3/4" Plate Steel, Water Jet Cut
 - Soffit Attachment TBD



TOP VIEW



FRONT VIEW



ISOMETRIC VIEW

1 Primary Sign
Scale: 3/4" = 1'-0"


 MULTIFACE PRODUCTION
 1000 W. 10TH ST. SUITE 100
 DENVER, CO 80202
 (303) 733-1111

SUB: GMR

PROJECT: Copenhagen Snuff Shop

SHEET: Primary Sign Overview 1

PROJECT NUMBER	TICKET NUMBER
01/17/2019	

DRAWN BY: T. Martin
 SCALE: 3/4" = 1'-0"
 DATE: 01.17.2019



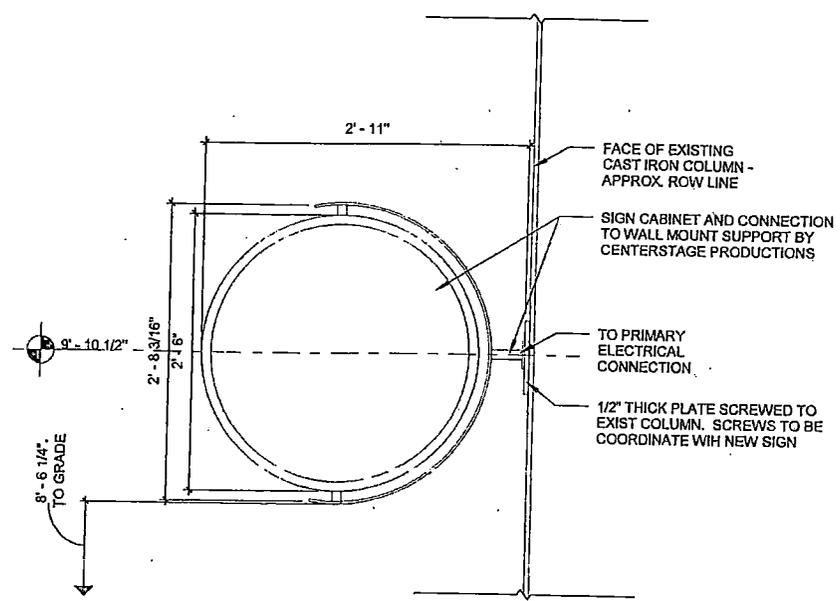
GreshamSmith.com

222 2nd Avenue South
Nashville, TN 37201
615.770.8100

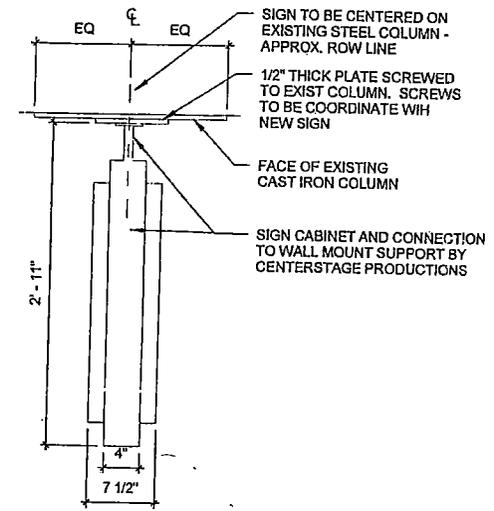
Pilcher Building First Floor

144 2nd Ave. North
Nashville, TN
37201

GS003
EXTERIOR SIGNAGE
43383.00
02/20/19



1 EXTERIOR SIDEWALK SIGN - ELEVATION
NOT TO SCALE



2 EXTERIOR SIDEWALK SIGN - ELEVATION
NOT TO SCALE



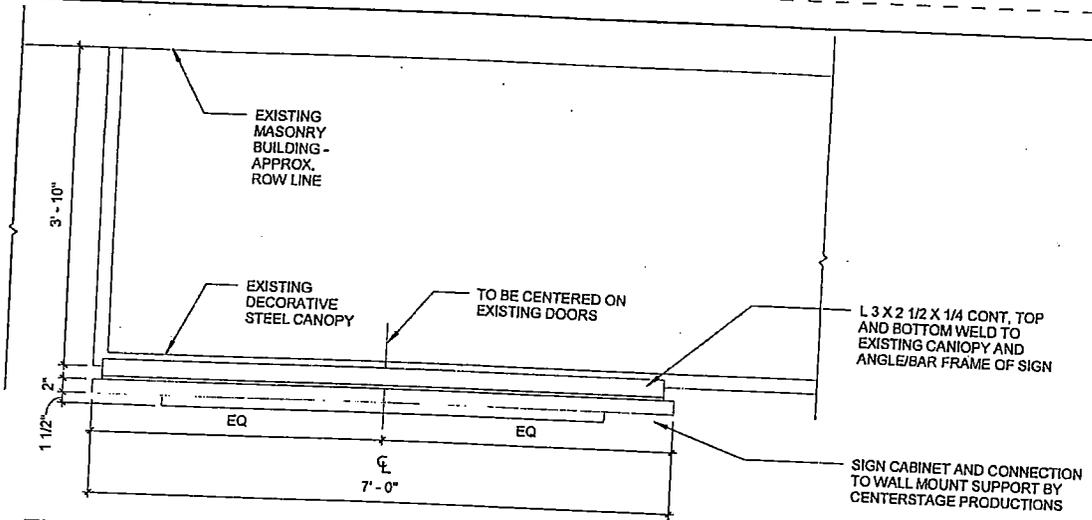
GreshamSmith.com

222 2nd Avenue South
Nashville, TN 37201
615.770.8100

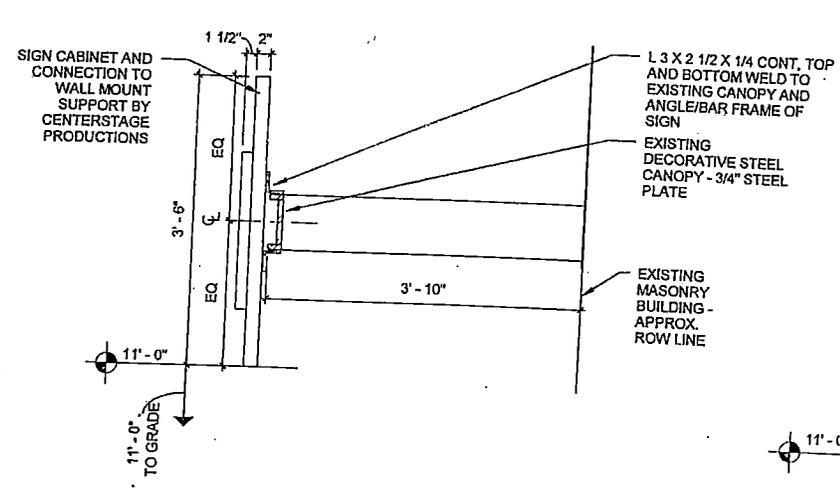
Pilcher Building First Floor

144 2nd Ave. North
Nashville, TN
37201

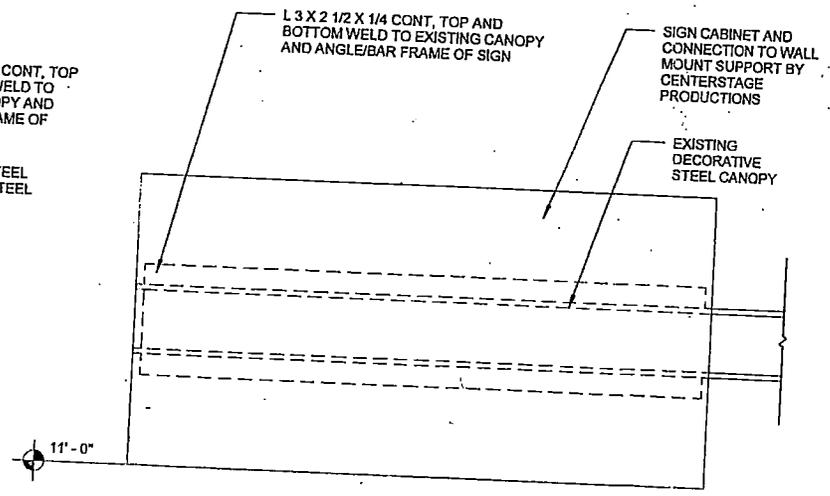
GS002
EXTERIOR SIGNAGE
43383.00
02/22/19



1 EXTERIOR PRIMARY SIGN - PLAN VIEW
NOT TO SCALE



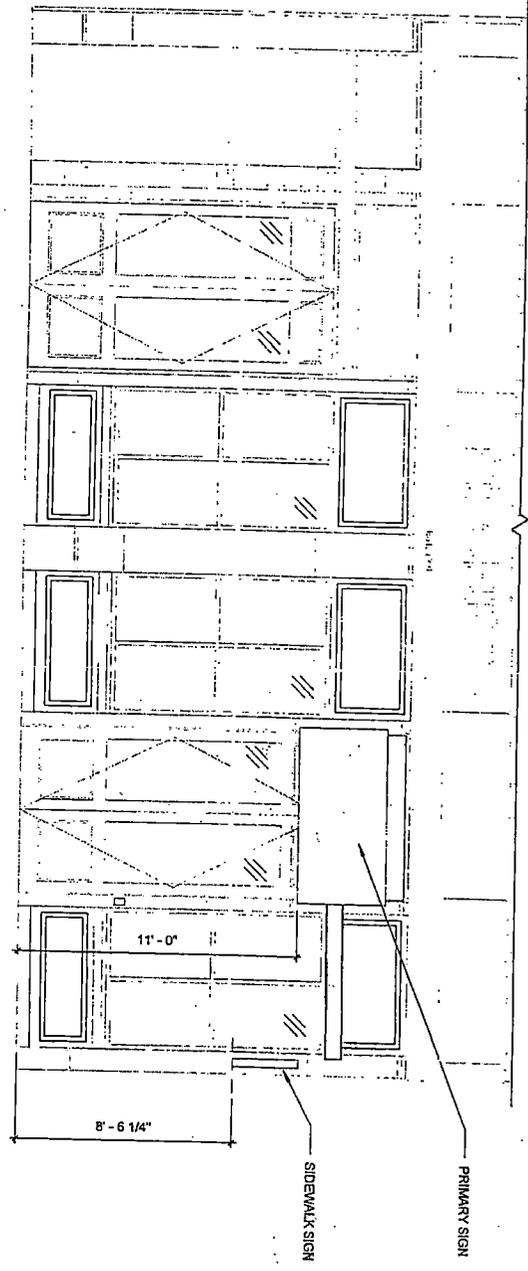
2 EXTERIOR PRIMARY SIGN - SIDE ELEVATION
NOT TO SCALE



3 EXTERIOR PRIMARY SIGN - FRONT ELEVATION
NOT TO SCALE

1

EXTERIOR FRONT FACADE
NOT TO SCALE



Pilcher Building First Floor

144 2nd Ave. North
Nashville, TN
37201

GS001
EXTERIOR SIGNAGE
43383.00
03/03/19

222 2nd Avenue South
Nashville, TN 37203
615.770.8100

