

RESOLUTION NO. RS2019 - 109

A resolution authorizing SmileDirectClub, LLC to construct and install an aerial encroachment at 414 Union Street. (Proposal No.2019M-037EN-001).

WHEREAS, SmileDirectClub, LLC plans to construct, install and maintain an aerial encroachment, under Proposal No. 2019M-037EN-001, at 414 Union Street; and,

WHEREAS, Proposal No. 2019M-037EN-001 is comprised of a three-sided, illuminated sign measuring eight feet by one foot, projecting from the building one foot, encroaching the public right-of-way on property located at 414 Union Street; and,

WHEREAS, SmileDirectClub, LLC, 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 contained herein, SmileDirectClub, LLC is hereby granted the privilege to construct and maintain said aerial encroachment in 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 SmileDirectClub, LLC.

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 SmileDirectClub, LLC.

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 complete, must be approved by said Director.

Section 5. That this Resolution confers upon SmileDirectClub, LLC, 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, SmileDirectClub, LLC, its successors and assigns, shall remove said aerial encroach at their own expense.

Section 6. SmileDirectClub, LLC 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. SmileDirectClub, LLC shall be responsible for the expense, if any, of repairing and returning the 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 SmileDirectClub, LLC, 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.

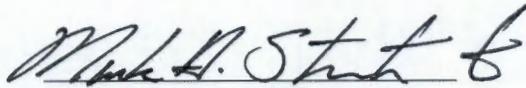
Section 8. SmileDirectClub, LLC, shall and is hereby required to furnish The Metropolitan Government of Nashville and Davidson County a certificate of public liability insurance, naming The Metropolitan Government as an insured party, of at least five million (\$5,000,000) dollars aggregate, for the 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 or 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 SmileDirectClub, LLC 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

INTRODUCED BY:

---

---

---

Member(s) of Council

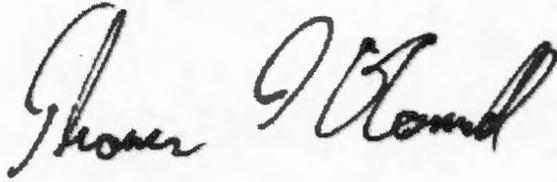
APPROVED AS TO FORM  
AND LEGALITY:



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)

*Kathleen D Murphy*

Kathleen Murphy  
Councilmember, District 24

**Electronic Signature Page**

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

*Angie E. Henderson*

Angie Henderson  
Councilmember, District 34

Proposal No. 2019M-037EN-001



SM11LLC-02

ASHLEYLANCTOT

CERTIFICATE OF LIABILITY INSURANCE

DA TO (MM/DD/YYYY)  
7/18/2019

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

**IMPORTANT:** If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

<b>PRODUCER</b> NFP Property & Casualty Services, Inc. 43 Executive Drive Plainville, NY 11853	<b>CONTACT</b> Elena Carbone PHONE: _____ FAX: _____ E-MAIL: elena.carbone@nfp.com
	<b>INSURERS AFFORDING COVERAGE</b>
<b>INSURED</b> SellsDirectClub LLC 414 Union Street, Suite 600 Nashville, TN 37219	INSURER A: <b>Beazley Insurance Company, Inc</b> 37540
	INSURER B: <b>Federal Insurance Company</b> 20281
	INSURER C: <b>Everest Indemnity Insurance Company</b> 10951
	INSURER D: _____ INSURER E: _____ INSURER F: _____

COVERAGES: \_\_\_\_\_ CERTIFICATE NUMBER: \_\_\_\_\_ REVISION NUMBER: \_\_\_\_\_

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

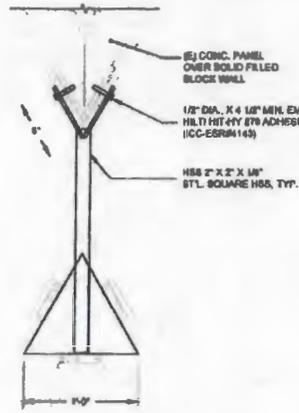
TYPE	TYPE OF INSURANCE	AGGREGATE LIMIT	POLICY NUMBER	POLICY EFF. DATE	POLICY EXP. DATE	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR <input type="checkbox"/> GEN. AGGREGATE LIMIT APPLIES PER POLICY <input type="checkbox"/> <input type="checkbox"/> LOC <input type="checkbox"/> OTHER: _____	X	W183D0190001	4/17/2019	4/17/2020	EACH OCCURRENCE \$ 5,000,000 DAMAGE TO RENTED PREMISES AND AUTOMOBILES \$ 5,000,000 MED EXP (incl. prof. expen.) \$ 0 PERSONAL & ADJ INJURY \$ 5,000,000 GENERAL AGGREGATE \$ 5,000,000 PRODUCTS - COMPROMISE \$ 5,000,000
B	<input checked="" type="checkbox"/> AUTOMOBILE LIABILITY <input checked="" type="checkbox"/> ANY AUTO <input type="checkbox"/> OWNED AUTOS ONLY <input type="checkbox"/> RENTED AUTOS ONLY <input type="checkbox"/> AUTOS ONLY <input checked="" type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> NON-SCHEDULED AUTOS		73608777	4/17/2019	4/17/2020	COMBINED SINGLE LIMIT \$ 1,000,000 BODILY INJURY (per person) \$ _____ BODILY INJURY (per accident) \$ _____ PROPERTY DAMAGE (per person) \$ _____ PROPERTY DAMAGE (per accident) \$ _____
C	<input checked="" type="checkbox"/> UMBRELLA LIME <input checked="" type="checkbox"/> EXCESS LIME <input type="checkbox"/> DSO <input type="checkbox"/> RETENTION \$ _____ <input type="checkbox"/> CLAIMS-MADE	X	L80EX00033-191	4/17/2019	4/17/2020	EACH OCCURRENCE \$ 10,000,000 AGGREGATE \$ 10,000,000
B	<input checked="" type="checkbox"/> WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/DIRECTOR'S EXCLUDED? (Necessary to file) If yes, describe under DESCRIPTION OF OPERATIONS below: _____ Y/N N/A		(20)7175-05-55	4/17/2019	4/17/2020	<input checked="" type="checkbox"/> PER ACCIDENT <input type="checkbox"/> PER EMPLOYEE \$1. EACH ACCIDENT \$ 1,000,000 \$1. DISEASE - EA EMPLOYEE \$ 1,000,000 \$1. DISEASE - INDIVIDUAL \$ 1,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 11 is Additional Remarks Schedule, may be attached if more space is required)  
 NE: Church Street Located at 1215 Church Street, Nashville, TN 37203  
 Project No. 15-BL-11  
 The Metropolitan Government of Nashville and Davidson County is included as an Additional Insured as respects to General Liability

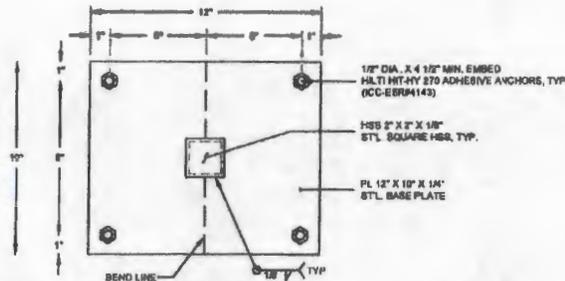
<b>CERTIFICATE HOLDER</b> The Metropolitan Government of Nashville and Davidson County Metro Legal & Claims c/o Insurance and Safety Division 222 3rd Avenue North, Ste. 6601 Nashville, TN 37201	<b>CANCELLATION</b> SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE 
--	--

ACORD 25 (2018/03) © 1985-2015 ACORD CORPORATION. All rights reserved. The ACORD name and logo are registered marks of ACORD

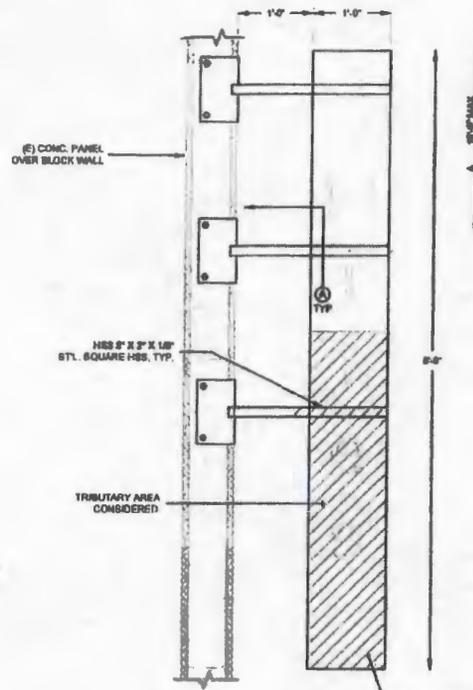




PLAN VIEW  
N.T.S.



BASE PLATE  
N.T.S.



ELEVATION  
N.T.S.

Sign Design Based on 2012 IBC w/Local Amendments

Job # J15\_152819\_R  
Project Smile Direct Club Corner Blade Sign  
Job Location 414 Union Street  
Nashville TN

INPUT DATA

Exposure category (B, C or D)		C
Risk Category		B
Normal Design Windspeed	$V_{ult}$	110 mph
Topographic factor	$K_{zt}$	1
Height of the sign	$h$	15 ft
Vertical dimension ( $Z$ )	$Z$	0 ft
Avg. Horizontal dimension	$B$	1.25 ft
Dimension of main column	$L$	1 ft

ANALYSIS

Velocity pressure  
 $q_s = 0.00183 K_z K_{zt} K_d V^2 = 26.22 \text{ psf}$   
 where:  
 $q_s$  = velocity pressure at height  $z$  (Fig. 26.2-1, page 248)  
 $K_z$  = velocity pressure exposure coefficient evaluated at height above ground level,  $h$  (Tab. 26.2-1, pg 251)  
 $K_{zt}$  = wind directionality factor, (Tab. 26.2-1, page 194)  
 $K_d$  = gust effect factor, (Tab. 26.2, page 198)  
 $C_e$  = net force coefficient, (Fig. 26.4-1, page 252)  
 $A_g$  =  $B \times B$  gross area

DESIGN SUMMARY

Allowable Stress Design Wind Factor =	0.8
Design Wind Pressure = $F$	8.8 psf
Design Windforce, $F = F \times A_g$	3.5 kips
Moment Arm =	1.25 ft
Design Moment = $F \times \text{moment arm}$	0.50 kip-ft

TRIBUTARY DESIGN SUMMARY

Tributary Area =	4.50 ft <sup>2</sup>
Estimated Tributary weight =	46 lbs
Allowable Stress Design Wind Factor =	0.8
Design Wind Pressure = $F$	8.8 psf
Design Windforce, $F = F \times A_g$	3.5 kips
Moment Arm =	1.67 ft
Design Moment = $F \times \text{moment arm}$	0.50 kip-ft

Post Design

STL SQUARE HSS  
 Use A500 GRADE B  
 $S = 0.10$  HSS 2" X 2" X 1/8"  $S = 0.49$

Anchor Design

H.L.T. HT-HY 270 ADHESIVE ANCHORS  
 Tension Req'd. USE ICC-ESR-1143 FOR 4" SIDE DIST.  
 $T = 229$  1/2" DIA. X 4 1/2" MIN. EMBED.

Base Plate

STL PLATE  
 Thickness Req'd. USE A36  
 $t = 0.17$  PL 1/2" X 16" X 16"

NOTE: SPECIAL INSPECTION REQUIRED FOR POST ANCHORS PER ICC-ESR-1143

NOTES:

**GENERAL:**  
 SIGN DESIGN IS BASED ON ADEQUATE EXISTING SUPPORT ELEMENTS.  
 PROVIDE ISOLATION OF DISSIPILAR MATERIALS  
 COAT ALUMINUM IN CONTACT WITH CONCRETE WITH ZINC RICH PAINT.  
 THERE IS NO PROTECTION ZONE AS DEFINED IN AISC 341-10  
 PROVIDE FULLY WELDED END CAPS AT EXPOSED OPEN ENDS OF STEEL / ALUM. TUBES, MATCH THICKNESS LINE FOR LINE.  
 SLOPE TOP OF EXPOSED FOOTING AWAY FROM DIRECT BURIAL POSTS  
 ALL EXPOSED STEEL TO BE PRIMED & PAINTED OR ALTERNATIVELY USE GALVANIZED STEEL.

ANCHORS:

BRASS WASHERS APPROVED POST INSTALLED ANCHORS SPECIFIED ON PLANS MAY BE SUBSTITUTED BY APPROVED EQUAL

STEEL:

DESIGN AND FABRICATION ACCORDING TO 2012 IBC W/LOCAL AMENDMENTS  
 PLATE, ANGLE, CHANNEL TEE, AND WIDE FLANGE: ASTM A36  
 ROUND PIPE: ASTM A53 GRADE B OR EQUIVALENT  
 HSS ROUND, SQUARE, AND RECTANGULAR TUBE: ASTM A500 GRADE B OR EQUIVALENT  
 ALL STEEL MACHINED BOLTS SHOULD BE: ASTM F1554  
 ALL STAINLESS STEEL MACHINED BOLTS SHOULD BE: ASTM A276  
 ALL BOLTS TO BE ZINC COATED BY PHOT DIPPED; ASTM A153 OR F329  
 BEARING TYPE CONNECTION REINFORCING REBAR: ASTM A615 GRADE 60 DEFORMED BARS

ALUMINUM:

DESIGN AND FABRICATION ACCORDING TO 2010 ALUM. DESIGN MANUAL  
 PLATES, ANGLES, CHANNELS, TEE, AND SQUARE TUBING: ALUMINUM ALLOY 6061 - T6 WITH 0.008 LBS PER CU INCH

WELDING:

**STEEL**  
 DESIGN AND FABRICATION ACCORDING TO AWS D1.1  
 - AWS CERTIFICATION REQUIRED FOR ALL STRUCTURAL WELDERS  
 - E70 XX ELECTRODE FOR SMAW PROCESS  
 - E70S XX ELECTRODE FOR GMAW PROCESS  
 - E70T XX ELECTRODE FOR GTAW PROCESS  
 - E70T XX ELECTRODE FOR FCAW PROCESS  
 ALL WELDS SHALL BE MADE WITH A FILLER METAL THAT CAN PRODUCE WELDS THAT HAVE A MINIMUM CHASTY V-NOTCH TOUGHNESS OF 30FT-LB AT ZERO ° AS DETERMINED BY THE APPROPRIATE AWS AS CLASSIFICATION TEST METHOD OR MP'S CERTIFICATION

ALUMINUM

DESIGN AND FABRICATION ACCORDING TO AWS D1.2 ALL WELDING IN ACCORDANCE WITH THE LATEST EDITION OF THE AWS A 5.10 FILLER-METALS PER TABLES A5.1 & A5.2 OF 2010 ALUMINUM DESIGN MANUAL.



www.yibc.com  
 P.O. BOX 808050  
 SANTA CLARITA, CA 91380  
 TEL: (818)259-0700 FAX: (818)259-0900

SHEET TITLE

SMILE DIRECT CLUB  
 CORNER BLADE

DRN BY: J.E.M.	DATE LAST REVISED: 04/24/2018	REV. NO:	REV. DATE:	REVISED BY:	PROJECT JOB #:
CHK BY: T.J.	PROJ. START DATE: Jul 19, 2019	1	-	-	J15_152819_R
REV BY: T.J.	SCALE: AS SHOWN	2	-	-	PROJECT LOCATION:
	printed by: Dym on 7/24/2019 @ 10:22 AM	3	-	-	SMILE DIRECT CLUB 414 UNION STREET NASHVILLE, TN

PROJECT LOCATION: SMILE DIRECT CLUB  
 414 UNION STREET  
 NASHVILLE, TN

SHEET #  
 1 of 1

3 SIDED NEON SIGN RENDERING



 SIGN INNOVATION



50 Halstead Blvd.  
Suite 17  
Zelleno, PA 16063

Tel 724.452.8699  
Fax 724.452.8629

[www.signinnovation.com](http://www.signinnovation.com)



Kristi Lucas, Project Manager  
[kristi@signinnovation.com](mailto:kristi@signinnovation.com)



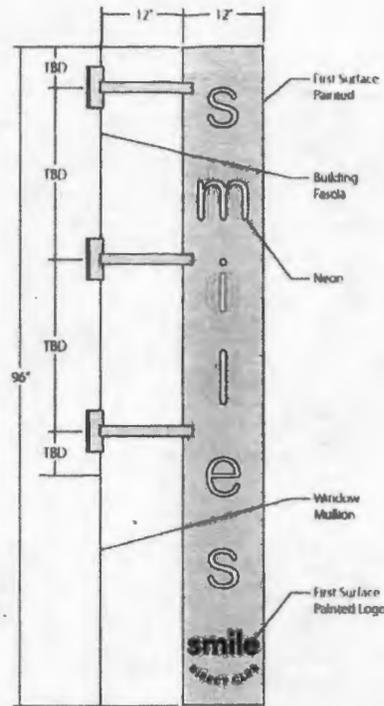
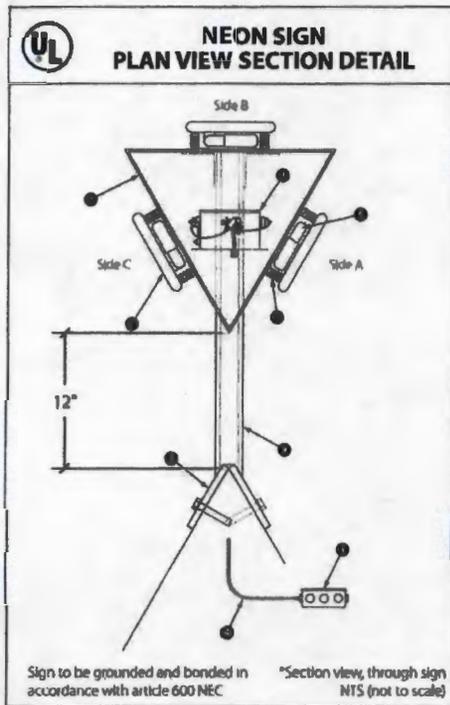
- 1 Cover
- 2 Building Plan View
- 3 3 Sided Neon Sign Rendering
- 4 3 Sided Neon Sign
- 5 3 Sided Neon Sign Sequence
- 6 Blade Sign Rendering
- 7 Blade Sign



Smile Direct Club  
414 Union Street  
Nashville, TN 37219

3 SIDED NEON SIGN

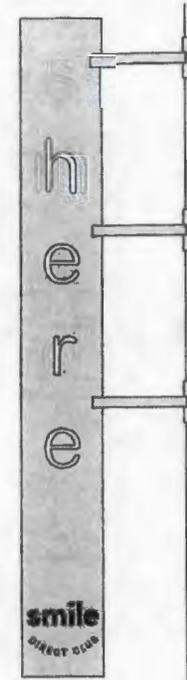
SQ/FT : 8.00



SIDE A  
SIGN ELEVATION  
SCALE: 3/4" = 1'-0"



SIDE B



SIDE C

- 1 Junction Box Primary Power & Access By Others
- 2 Fabricated Aluminum Cabinet
- 3 Motion Neon Transformer Mounted within Cabinet
- 4 1/2" Non Metallic Sealant

- 5 Glass Neon Tube Support
- 6 Neon Doublebacks w/White Boots
- 7 13mm White Neon Tubes
- 8 Mounting Plate w/Hardware
- 9 Support Arm

- White Neon Tube
- Maps Brushed Aluminum
- PMS 2098c

**SIGNINNOVATION**

50 Holstead Blvd.  
Suite 17  
Zelienople, PA 16063

Tel 724.452.8699  
Fax 724.452.8629

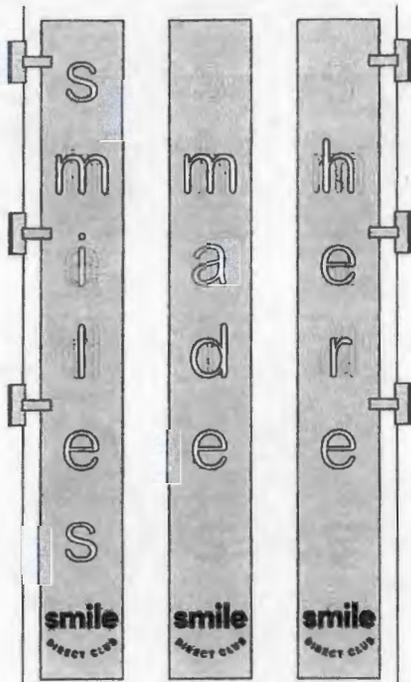
www.signinnovation.com

Kristi Lucas, Project Manager  
kristi@signinnovation.com

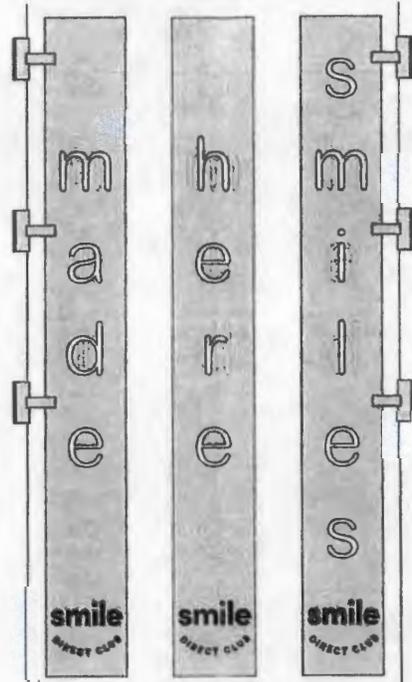
- 1 Cover
- 2 Building Plan View
- 3 3 Sided Neon Sign Rendering
- 4 3 Sided Neon Sign
- 5 3 Sided Neon Sign Sequence
- 6 Blade Sign Rendering
- 7 Blade Sign

Smile Direct Club  
414 Union Street  
Nashville, TN 37219

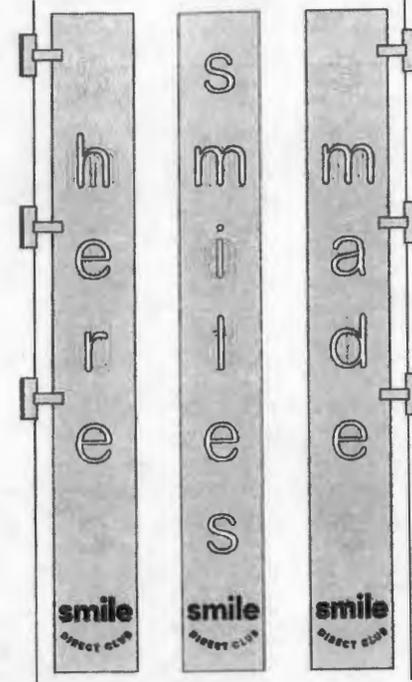
**3 SIDED NEON SIGN SEQUENCE**



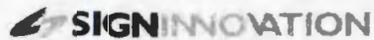
SIDE A      SIDE B      SIDE C  
 SEQUENCE "1" ELEVATION  
 SCALE: 3/4" = 1'-0"



SIDE A      SIDE B      SIDE C  
 SEQUENCE "2" ELEVATION  
 SCALE: 3/4" = 1'-0"



SIDE A      SIDE B      SIDE C  
 SEQUENCE "3" ELEVATION  
 SCALE: 3/4" = 1'-0"



50 Halstead Blvd.  
 Suite 17  
 Zelenople, PA 16063

Tel 724.452.8699  
 Fax 724.452.8629

www.signinnovation.com

Kristi Lucas, Project Manager  
 kristi@signinnovation.com

- 1 Cover
- 2 Building Plan View
- 3 3 Sided Neon Sign Rendering
- 4 3 Sided Neon Sign
- 5 3 Sided Neon Sign Sequence
- 6 Blade Sign Rendering
- 7 Blade Sign

Smile Direct Club  
 414 Union Street  
 Nashville, TN 37219