

11- R -0852

(Do Not Write Above This Line)

**A RESOLUTION BY
CITY UTILITIES COMMITTEE**

A RESOLUTION AUTHORIZING THE MAYOR OR HIS DESIGNEE, ON BEHALF OF THE CITY OF ATLANTA, TO ENTER INTO AN ENCROACHMENT AGREEMENT FOR NON-CONFORMING USES WITH CARNEGIE HOTELS, LLC., OWNER OF REAL PROPERTY LOCATED AT 131 CARNEGIE WAY, N.W., ATLANTA, GEORGIA, FOR THE PURPOSE OF PERMITTING TWO (2) MARQUEES, NINE (9) AWNINGS, AND ONE (1) BLADE SIGN TO PARTIALLY EXTEND INTO THE PUBLIC RIGHT-OF-WAY ALONG THE NORTH SIDE OF CARNEGIE WAY, N.W. BETWEEN ELLIS STREET, N.W. AND FORSYTH STREET, N.W. AND ON THE SOUTH SIDE OF ELLIS STREET, N.W. BETWEEN CARNEGIE WAY, N.W. AND PEACHTREE STREET, N.W.; AND FOR OTHER PURPOSES.

ADOPTED BY

JUN 06 2011

COUNCIL

- CONSENT REFER
- REGULAR REPORT REFER
- ADVERTISE & REFER
- 1st ADOPT 2nd READ & REFER
- PERSONAL PAPER REFER

Date Referred

Referred To:

Date Referred

Referred To:

Date Referred

Referred To:

First Reading

Committee _____
 Date _____
 Chair _____
 Referred To _____

City Utilities
Committee

May 31 2011
Date

Wade R. Rife
Chair

Action
Fav, Adv, Hold (see rev. side)
Other

Members

Or Water
D. J.

Harold Shubert

Jadrian

Refer To

Committee

Date

Chair

Action
Fav, Adv, Hold (see rev. side)
Other

Members

Refer To

Committee

Date

Chair

Action
Fav, Adv, Hold (see rev. side)
Other

Members

Refer To

Committee

Date

Chair

Action
Fav, Adv, Hold (see rev. side)
Other

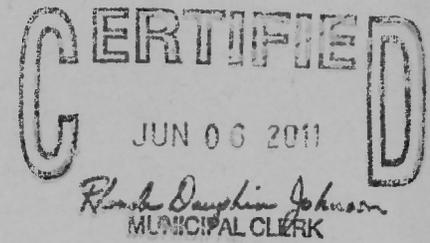
Members

Refer To

FINAL COUNCIL ACTION

- 2nd
- 1st & 2nd
- 3rd
- Consent
- V Vote
- RC Vote

CERTIFIED



MAYOR'S ACTION

APPROVED

JUN 15 2011

WITHOUT SIGNATURE
BY OPERATION OF LAW

**A RESOLUTION BY
CITY UTILITIES COMMITTEE**

A RESOLUTION AUTHORIZING THE MAYOR OR HIS DESIGNEE, ON BEHALF OF THE CITY OF ATLANTA, TO ENTER INTO AN ENCROACHMENT AGREEMENT FOR NON-CONFORMING USES WITH CARNEGIE HOTELS, LLC., OWNER OF REAL PROPERTY LOCATED AT 131 CARNEGIE WAY, N.W., ATLANTA, GEORGIA, FOR THE PURPOSE OF PERMITTING TWO (2) MARQUEES, NINE (9) AWNINGS, AND ONE (1) BLADE SIGN TO PARTIALLY EXTEND INTO THE PUBLIC RIGHT-OF-WAY ALONG THE NORTH SIDE OF CARNEGIE WAY, N.W. BETWEEN ELLIS STREET, N.W. AND FORSYTH STREET, N.W. AND ON THE SOUTH SIDE OF ELLIS STREET, N.W. BETWEEN CARNEGIE WAY, N.W. AND PEACHTREE STREET, N.W.; AND FOR OTHER PURPOSES.

WHEREAS, Carnegie Hotels, LLC (“Carnegie”) owns certain real property located at 131 Carnegie Way, N.W. in Atlanta, Georgia (“Property”); and

WHEREAS, Carnegie proposes to install two marquees which would extend into the public right-of-way approximately Six (6) feet by Six (6) feet; and

WHEREAS, Carnegie proposes to install nine awnings which would extend into the public right-of-way approximately Fifteen (15) feet by Six (6) feet; and

WHEREAS, Carnegie proposes to install a blade sign which would extend into the public right-of-way approximately Ten (10) feet by Ten (10) feet; and

WHEREAS, the City of Atlanta’s (“City”) Code of Ordinances, at Sections 138-22 and 138-24, requires that an Encroachment Agreement be entered into between the City and Carnegie for authorization to allow the marquees, awnings, and blade sign to be installed in the public right-of-way and for authorization for Carnegie to continue to maintain the marquees, awnings, and blade sign in the public right-of-way; and

WHEREAS, the Commissioner of the Department of Public Works has reviewed the plans for the right-of-way encroachments and has determined that the marquees, awnings, and blade sign will not adversely impact the ability of the affected right-of-way to handle vehicular or pedestrian traffic or otherwise to perform its intended public function; and

WHEREAS, Carnegie desires to maintain the marquees, awnings, and blade sign; and

WHEREAS, Carnegie has agreed to conform to the conditions set out in the City Code of Ordinances at Sections 138-22 and 138-24.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, that the Mayor or his designee is authorized, on behalf of the Department of Public Works, to enter into an Encroachment Agreement for Non-Conforming Uses, as outlined in Section 138, Article II, of the City’s Code of Ordinances with Carnegie



Hotels, LLC for the purpose of granting Carnegie the right to install and the obligation to thereafter maintain two marquees, nine awnings, and a blade sign in the public right-of-way at 131 Carnegie Way, N.W. between Ellis Street, N.W. and Forsyth Street, N.W., and Ellis Street, N.W. between Carnegie Way, N.W. and Peachtree Street, N.W. in Atlanta, Georgia as depicted in Exhibit "A" attached hereto, in a form and pursuant to conditions determined by the Commissioner of the Department of Public Works and the City Attorney, to be desirable, appropriate and in the best interests of the City of Atlanta for this transaction.

BE IT FURTHER RESOLVED, that the plans and specifications for said marquees, awnings, and blade sign shall be submitted for the review and approval of the Commissioner of Public Works.

BE IT FURTHER RESOLVED, that Carnegie shall indemnify the City for any damages to persons or properties resulting from the erection and maintenance of said marquees, awnings, and blade sign.

BE IT FURTHER RESOLVED, that Carnegie shall comply with the conditions set out at Sections 138-22 and 138-24 of the City's Code of Ordinances.

BE IT FURTHER RESOLVED, that the City Attorney is directed to prepare an Encroachment Agreement, acceptable as to form, for execution by the Mayor and Carnegie.

BE IT FURTHER RESOLVED, that the Agreement shall not become binding upon the City, and the City shall incur neither obligation nor liability thereunder until the Agreement has been approved as to form by the City Attorney, executed by the Mayor, attested to by the Municipal Clerk and delivered to Carnegie Hotels, LLC.

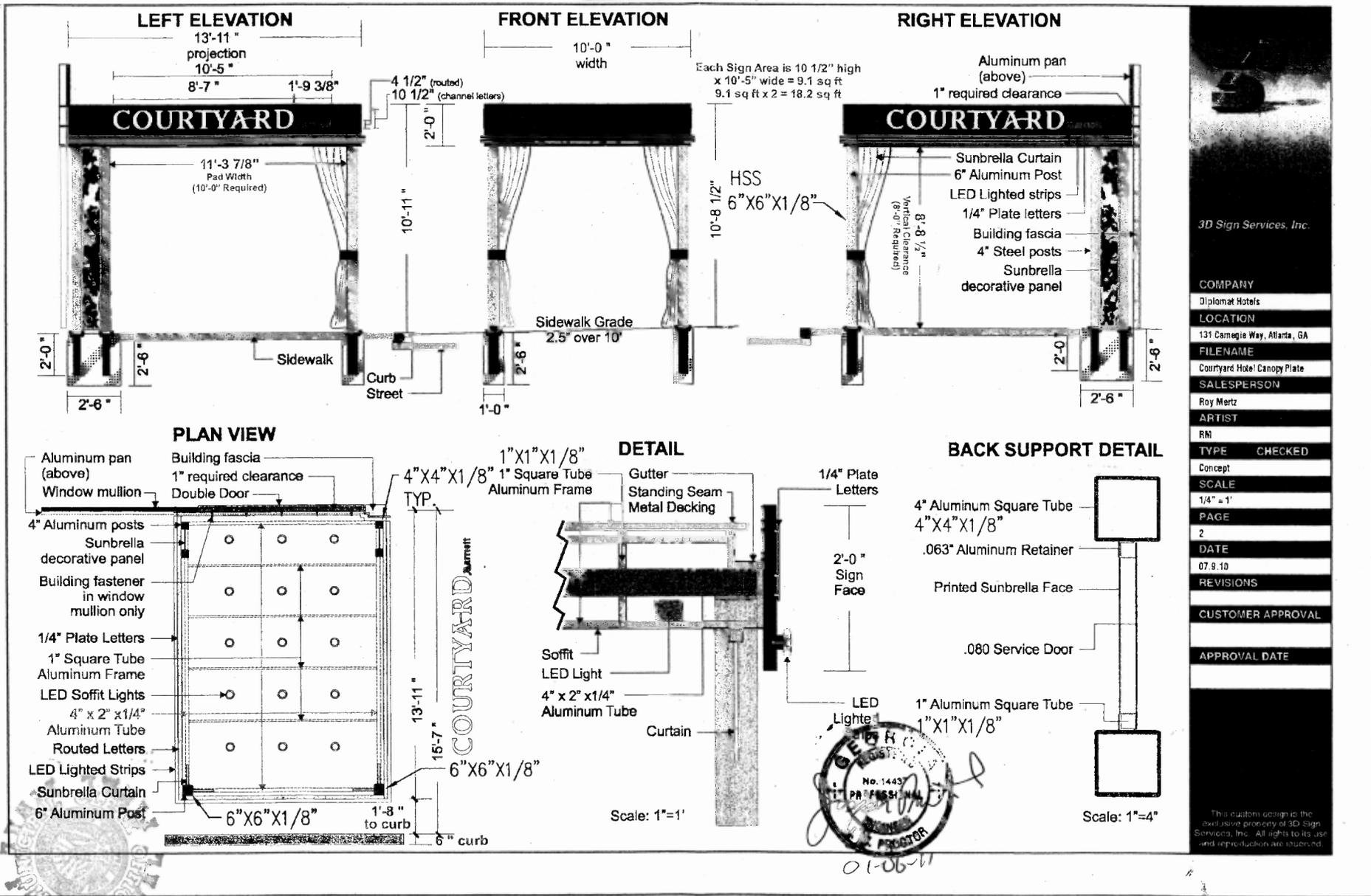
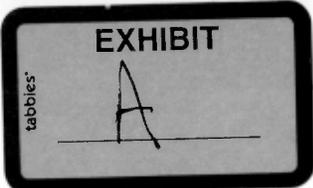
A true copy,


Deputy Municipal Clerk

ADOPTED by the Atlanta City Council
RETURNED WITHOUT SIGNATURE OF THE MAYOR
APPROVED as per City Charter Section 2-403

June 06, 2011

June 15, 2011



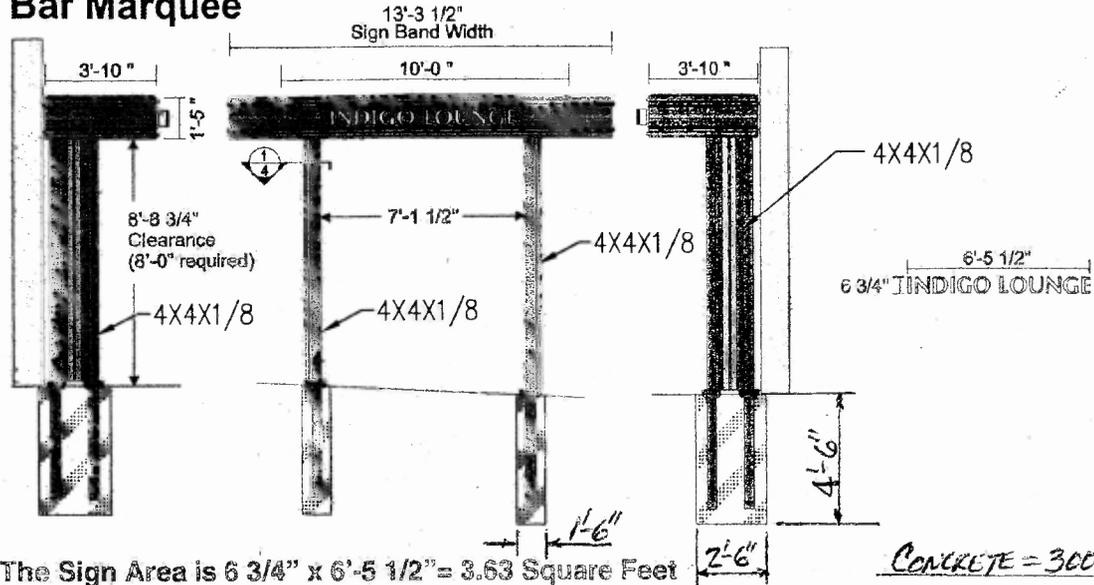
3D Sign Services, Inc.

COMPANY	Diplomat Hotels
LOCATION	131 Carnegie Way, Atlanta, GA
FILENAME	Courtyard Hotel Canopy Plate
SALESPERSON	Roy Mertz
ARTIST	RM
TYPE	CHECKED
Concept	
SCALE	1/4" = 1'
PAGE	2
DATE	07.9.10
REVISIONS	
CUSTOMER APPROVAL	
APPROVAL DATE	

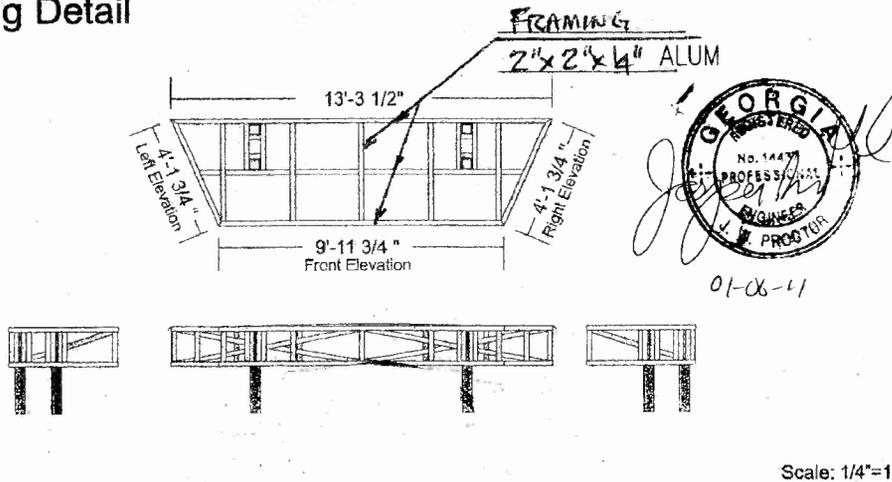
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319 Atlanta Street, Unit 240, Marietta, Georgia 30060
 770-426-1111
 WWW.3DSIGNSERVICES.COM
 title: _____
 seal: _____
 seal: _____
 DATE: _____
 PERSON: _____
 sheet: _____

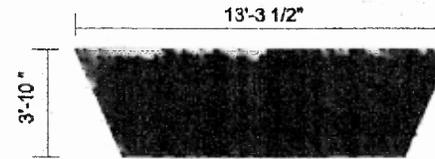
Bar Marquee



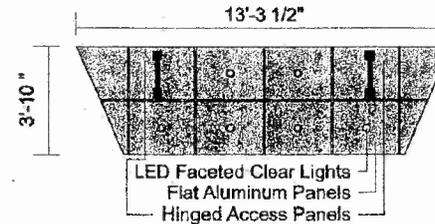
Framing Detail



Top of Marquee



Bottom of Marquee



WIND LOAD = 90 #/sq ft

3D Sign Services, Inc.

COMPANY
Diplomat Hotels
LOCATION
131 Carnegie Way, Atlanta, GA
FILENAME
Marquee Detail
SALESPERSON
Roy Martz
ARTIST
RM
TYPE CHECKED
Concept
SCALE
1/4" = 1'
PAGE
4
DATE
01.14.10
REVISIONS
CUSTOMER APPROVAL
APPROVAL DATE

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319 Atlantic Street, Unit 740, Marietta, Georgia
ACME AMERICAN, L.L.C.
PROJECT # 10
title: INTERMEZZO & COURTYARD SIGNS
proj:
seal:
seal:
DATE:
REVISIONS:
sheet: A16



Carnegie Way Awnings



Carnegie Way Awning A
15'-6"



Carnegie Way Awning B
15'-6"



Carnegie Way Awning C
15'-6"



2'-10"
Typical Height

Carnegie Way Awning D
15'-6"



Carnegie Way Awning E
15'-6"



Carnegie Way Awning F
15'-6"



3D Sign Services, Inc.

COMPANY

Diplomat Hotels

LOCATION

131 Carnegie Way, Atlanta, GA

FILENAME

Courtyard Awnings

SALESPERSON

Roy Mertz

ARTIST

RM

TYPE CHECKED

Concept

SCALE

3/8" = 1'

PAGE

1

DATE

10.25.10

REVISIONS

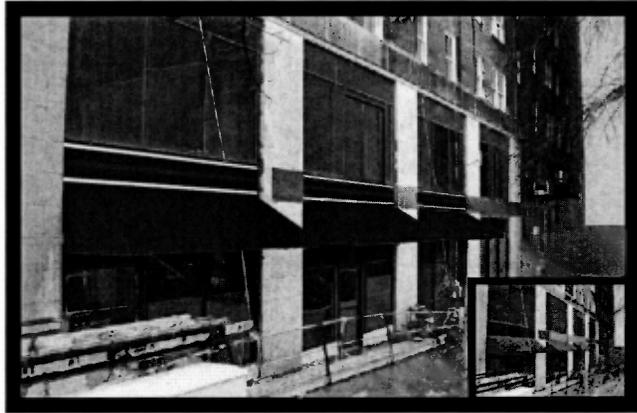
CUSTOMER APPROVAL

APPROVAL DATE

Wind Load=90 mph

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Peachtree Street Awnings



Peachtree Street Awning A
12'-8"



Peachtree Street Awning B
13'-5 1/4"

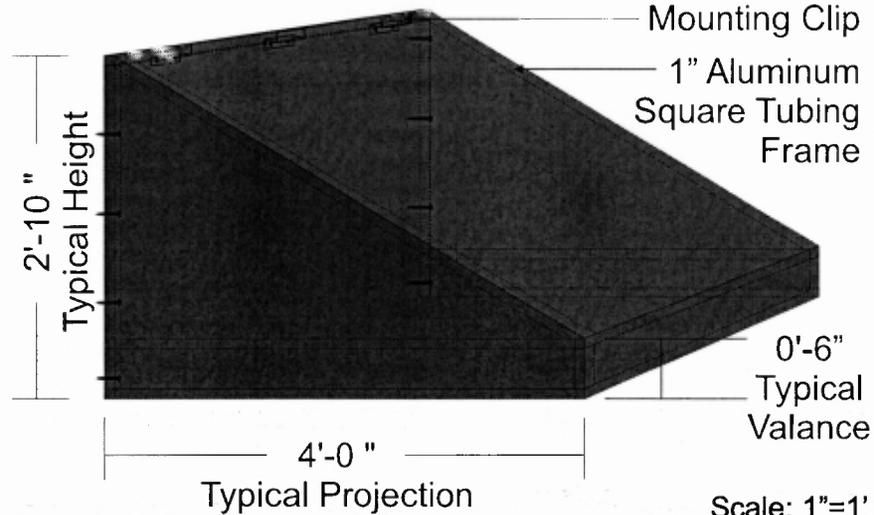


Peachtree Street Awning C
13'-5 1/2"



Scale: 3/8"=1'

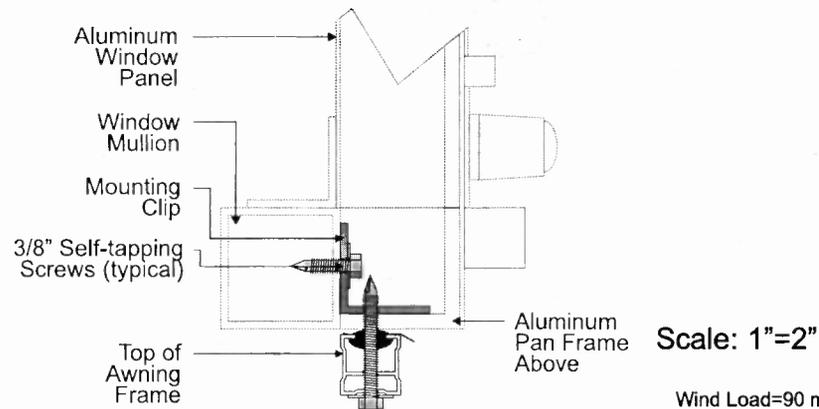
1. Fabrication Detail



- Sunbrella Jockey Red Fabric Material (#4603-0000) on Top, Valance and Sides
- Sunbrella Forest Green Fabric Material (#4637-0000) on Top, Valance and Sides
- OPTIONAL COLOR: Sunbrella Burgundy Fabric Material (#4631-0000) on Top, Valance and Sides

Scale: 1"=1'

1. Installation Detail



Scale: 1"=2"

Wind Load=90 mph



3D Sign Services, Inc.

COMPANY	
Diplomat Hotels	
LOCATION	
131 Carnegie Way, Atlanta, GA	
FILENAME	
Blue Awnings	
SALESPERSON	
Roy Mertz	
ARTIST	
RM	
TYPE	CHECKED
Concept	
SCALE	
3/8" = 1'	
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2	
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CUSTOMER APPROVAL	
APPROVAL DATE	

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RCS# 1077
6/06/11
2:28 PM

Atlanta City Council

REGULAR SESSION

CONSENT I

ADOPT

YEAS: 12
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 1
EXCUSED: 0
ABSENT 3

Y Smith	B Archibong	Y Moore	Y Bond
B Hall	Y Wan	Y Martin	Y Watson
Y Young	Y Shook	Y Bottoms	NV Willis
Y Winslow	Y Adrean	Y Sheperd	B Mitchell

CONSENT I