Agenda Item 7 Meeting of 10/6/10

RESOLUTION 10-12768

A RESOLUTION APPROVING A SIGN PERMIT APPLICATION AND A RIGHT-OF-WAY PERMIT APPLICATION FOR INSTALLATION AND MAINTENANCE OF AN INFORMATION SIGN BY THE NAPLES PLAYERS, INC., AT THE SUGDEN PLAZA; AUTHORIZING THE CITY MANAGER TO PROCESS THE APPLICATIONS; AND PROVIDING AN EFFECTIVE DATE.

- WHEREAS, Naples Players, Inc., have submitted Sign Permit Application 10-2872 and Right-of-Way Permit Application 2010-108 for installation and operation of an information sign in the public right-of-way within the Sugden Plaza; and
- WHEREAS, the dimensions, color and location of the proposed sign are shown on attachments to the sign permit application; and
- WHEREAS, the Use Agreement with the Naples Players executed November 30, 1994 and the Code of Ordinances require City Council approval of the Sign Permit Application and Right-of-Way Permit Application; and
- WHEREAS, the Community Redevelopment Agency Advisory Board (CRAAB) has reviewed the proposed sign installation at its meeting of August 23, 2010, and recommended approval by a vote of 3 to 1; and
- whereas, the City staff have reviewed the permit applications pursuant to the above references with conditions included on the attachments to the applications and have determined that permit approvals are in the City's best interest and recommends City Council approval.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF NAPLES, FLORIDA:

- Section 1. That Sign Permit Application 10-2872 and Right-of-Way Permit Application 2010-108 for installation and maintenance of an information sign by the Naples Players, Inc., at the Sugden Plaza, with conditions, are hereby approved, copies of which are on file in the City Clerk's office.
- Section 2. That the City Manager is hereby authorized to execute and process the permit applications.
- Section 3. That this resolution shall take effect immediately upon adoption.

PASSED IN OPEN AND REGULAR SESSION OF THE CITY COUNCIL OF THE CITY OF NAPLES, FLORIDA, THIS 6TH DAY OF OCTOBER 2010.

Bill Barnett, Mayor

Attest:

Tara A. Norman, City Clerk

M:\REF\COUNCIL\RES\2010\10-12768

Approved as to form and legality:

Robert D. Pritt, City Attorney

Date filed with City Clerk: 10-19-10



CITY OF NAPLES 295 RIVERSIDE CIRCLE NAPLES, FL. 34102 239-213-5020

SIGN PERMIT APPLICATION

RECEIVED

AUG 24 2000 J

BLDG DEFT

| Job Information: | Permit# 10-2872 |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------|
| Tax/Folio #: 19010880007 Legal Descrip | otion: Seaboard Roplat TZ, BL416 |
| Job Address: 1,01 STVT MTC 3. | |
| Property Owner: City of Naples Park. Author | ailing Address: 735 Sth St., Naples 3 |
| Tenant Name: The Naples Players | |
| Est. cost:\$ 4,921,- | Permit expiration date: 6 months |
| Number of signs: | Electric: Non-electric: |
| Type of sign: Pole | Disconnect box:yesno |
| Description of work: Install Directional Contractor Information: Contractor: SIGN CRAFT Qualifier's name: The awas G. Zeaver Address: 3661 Mer Cantile Are City: Naples Sub-Contractor Information: | Sign(s) square footage: 17.961 Pole Sign State Cert/CC Comp Card #: 16883 Phone #: 643 - 1777 Fax #: 643 - 2498 State: FL Zip: 34104 |
| Electrical: | State Cert/CC Comp Card #: |
| Address: | |
| The following must be included with the application: | |

Regulations and Information:

- Required plan size is 24" x 36", maximum, on standard size paper. Plans must be to scale with a minimum of 3/16"=1'.
- In addition to complying with the requirements of the City of Naples Code of Ordinances, all signs must meet the structural and other standards regarding sign construction, erection, electrical wiring, etc., set forth in the Florida Building Code 2007

Two copies of a plan indicating the size, height, colors, and location of the sign

- 3. Non-electric sign contractors will not be issued a permit for an electrical sign.
- 4. In commercial complexes, the permitted signs must be uniform in design, including a color and lettering scheme, as well as shape and location on the building. The design must be consistent with the general character of the structures. A unified sign plan must be approved for any parcel on which the owner and/or tenant(s) propose to erect two or more signs requiring a permit.
- 5. The fee for this permit is \$100.00. A plan review fee, equal to 15% of permit fee, will be due at time of application. If plan review fee is less than \$30.00, it will be collected at time permit is issued, or upon withdrawal. The plan review fee is not refundable, nor is it credited to any other fee.

More information can be found in City of Naples Code of Ordinances Section 50, Article II (Signs - Required Development and Design Standards), Section 58-914 (D-Downtown) and Section 58-1134(f) (Fifth Avenue Overlay District)

8 pages 01/01/2010

RECORDED NOTICE OF COMMENCEMENT MUST BE POSTED IF THE PROJECT VALUATION EXCEEDS \$2,500.00

WARNING TO OWNER: YOUR FAILURE TO RECORD A NOTICE OF COMMENCEMENT MAY RESULT IN YOUR PAYING TWICE FOR IMPROVEMENTS TO YOUR PROPERTY. IF YOU INTEND TO OBTAIN FINANCING, CONSULT WITH YOUR LENDER OR AN ATTORNEY BEFORE RECORDING YOUR NOTICE OF COMMENCEMENT.

Contractor's Affidavit:

I certify that all the foregoing information is accurate and that all work must be done in compliance with all applicable laws regulating construction and zoning. I understand THERE WILL BE A FINAL INSPECTION of the work permitted herein. Compliance will be strictly enforced. No work whatsoever will commence until the building permit has been issued.

- The permit fee will be quadrupled if work is started without an approved permit.
- The permittee further understands that only licensed contractors may be employed and that the structure shall not be used or occupied until a Certificate of Occupancy/Completion is issued.
- See Section 16-112:105 Permits, of the Code of Ordinances for information regarding the time limitations and conditions of a permit.
- · Additional information can be found on our website: www.naplesgov.com

| Thomas G. Beaver | 14 Beam |
|-----------------------------------------------------------------|------------------------------------------------------------------------------------|
| Print Name of Qualifier | Signature of Qualifier |
| State of Florida County of Cellier | |
| The foregoing instrument was acknowledged before me t | his 23 rd. day of August, 2010 |
| by Thomas G. Zearer | ,who is personally known to me or has produced |
| | |
| | as identification. |
| Christel Haaselvan | |
| Signature, Notary Public - State of Florida | NOTARY PUBLIC-STATE OF GLANDA Christel Haasemann |
| CHRISTEL HAASEHANN Printed, Typed, or Stamped Name of Notary | Commission #DD789255 Expires: JULY 05, 2012 BENDED THRU ATLANTIC BONDING CO., INC. |



DOUBLE-FACED GROUND SIGN

NON-ILLUMINATED

LOCKING CABINET CUSTOM SIZED TO ACCOMMODATE THEATRE POSTER

The Naples Players O

Theatre 2016-1

Theatre 2016-1

Din Notes to the State of the Box C:

SIDE VIEW RENDERING - (NOT TO EXACT SCALE)

TO THE FIRST CHOICE PROPERTY OF HIGH EXCEPT OF HAME EN-COMMENT AND THE ANTIQUES THE FEET AND ATTEMPT OF THE COMMENTED TO THE PROPERTY OF CHAIN CONSIDERATION OF WHICH THE TO THE ASSET OF THE CONSIDERATION OF THE PROPERTY O

SIGNOR AFT DRAWING: "NPLSPLYRS.FS"



PHONE: 643-1777 FAX: 643-2499 SALESPERSON: D. MORELAND DRAWING BY: JUDY L. MAHON DRAWING REVISED. BY: JLM

35 in

The Naples Players

eatre 2010-11

CUSTOMER APPROVAL







Sugden Community

BOARD OF DIRECTORS

Terri Caple President

Ken O'Leary Executive Vice President, Membership Chairman

Rose Mary Everett Vice President, Fundraising

Theresa Bill, Treasurer

Steve Pozgay, Secretary

Charles Brown, Immediate Past President

Mary Baron

Ed Bransilver

Ted DeGroot

Carol Dubnicki

Lois Kluberdanz

James Little

Bob Schoonmaker

John Sorey III City Council Designee

Sandi Wilson

Kelley Geraghty Price, Esq. Ex-Officio

> im Rideoutte Executive Director

701 5th Avenue South Naples, Florida 34102-6662

Business Office: (239) 434-7340

Box Office:

(239) 263-7990

Fax: (239) 434-7772

Emall:

theatre@naplesplayers.org Web Site:

www.naplesplayers.org

August 18, 2010

The Naples Players 701 Fifth Ave South Naples, FL 34102

Phone: 239-434-7340 Fax: 239-434-7772

RE: The Naples Players, Sugden Community Theatre, 701 5th Avenue South, Naples, FL 34102

To Whom It May Concern:

Please be advised that I, DALLAS DUNN AGAN , do hereby alve written Lessee/Tenant

Permission for SIGNCRAFT OF NAPLES INC. to erect and/ or alter signage on the above mentioned property

Sincerely,

Signature:

Tenant signature

DUNNAGAN

Print or type name, as (please check one the boxes below)

Owner / Owner's agent

(NOTARY SEAL HERE)

STATE OF Florida COUNTY OF COLLIER

SWORN TO and subscribed before me this 18 day of August, 2010, by DALLAS DUNNAGAM (name), as Artistic Dir (title) of

The NAPLES PLAYETHame of corporation), a (state) corporation, on behalf of the corporation. He/She (please check as applicable) / N is personally known to me, or has produced / / his/her (state) driver! licenso, or his/her (type of identification) as identification.

(Printed Name)

NOTARY PUBLIC, STATE OF 2012

(Commission Expiration Date)



RIGHT-OF-WAY PERMIT APPLICATION #2010-108 FOR NAPLES PLAYER AT SUGDEN PLAZA

August 27, 2010

380 RIVERSIDE CIRCLE NAPLES, FL 34102 239-213-5000 FAX 239-213-4799



PUBLIC RIGHT OF WAY PERMIT

| Permit Fee: \$150.00 Ck# * Receipt # ROW Permit # 2010-108 |
|-------------------------------------------------------------------------------------------------------|
| * REFERENCE USE AGREEMENT DATED 30NOV94 RECEIVED AUG 26 2010 |
| JOB INFORMATION (Flease Fillity DATE RECEIVED |
| owner City of Naples Parking Authority Building Permit # 10-2872 |
| Permit Location: 701 5th Are S. Nantes Scaboard Replat T8 BUR 16 N. 150' & Portion of Seventh Str. |
| Legal Description: Soci. 3, Twis 50, Range 25 |
| Permit End Date: 6 months Sq. Footage of Work Area: 1.5 |
| Permit Purpose: Install Directory Sifes |
| WORK BEING PERFORMED: In stall a Directory Sifu on 5+4 Are S. |
| Is there an existing concrete Valley Gutter/Curb/Swale? YESNO |
| CITY COUNCIL OR PLANNING APPROVAL NEEDED? YES NO |
| IF YES, APPROVAL DOCUMENTS MUST BE ATTACHED |
| CONTRACTOR |
| Contractor: SIGNCRAFT State Cert/CC Comp Card # |
| Qualifier's Name Thomas G. Beaver Job Rep Christel Haasemannt? |
| Address 3661 Mercantile Are Phone 643-1777 ex 205 |
| city Nouples State FL zip 34104 |

Two copies of site plan showing work area and existing utilities are required.

NOTES: The following are <u>Standard Conditions For Approval</u> to perform work within the City, to use and/or maintain the City's Public Right Of Way (ROW) consistent with City of Naples Code of Ordinances, Resolutions, applicable Florida Statutes and City Policies.

STANDARD PERMIT CONDITIONS

- Permits are required for all work performed in any right-of-way or easements within the City of Naples provided for public use and a responsibility of the City.
- 2. When permitted facilities are placed within a public right-of-way or easement, the installation is for permissive use only and placing of facilities shall not operate to create or vest any property right in the associated right-of-way or easement in the owner/agent/permittee. Furthermore, the owner/agent/permittee shall be responsible for operation and maintenance of such facilities if and until such time as the City of Naples decides to accept such operation and maintenance.
- 3. All materials and equipment placed in the City's Public ROW shall be subject to inspection and approval by the City's Public Works Department's assignee.
- Request for inspection to the City of Naples shall be made 72 hours prior to commencing workrequiring inspection - call 213-5000.
- 5. During the construction, the Contractor/Permittee shall comply with the State of Florida Manual of Uniform Minimum Standards for Design, Construction and Maintenance for Streets and Highways' and the 'Manual on Uniform Traffic Control Devices' (MUTCD) and with all other governing operating/maintenance/safety regulations.
- The City of Naples shall be relieved of all responsibility from damage or liability of damage of any nature arising from work authorized under this permit.
- Any crossing of existing pavement shall be by jacking and boring at a minimum depth of twenty-four inches (24"), unless otherwise authorized by the Public Works Department's assignee.
- 3. All overhead installations shall conform to clearance standards of the City and all underground crossing installations shall be placed a minimum depth of twenty-four inches (24") below the pavement and/or a minimum depth of twenty-four inches (24") below the roadside swale invert. Primary cable (voltage exceeding 500 volts) will have minimum thirty-six inch (36") cover. The Public Works Department's assignee reserves the right to allow exceptions subject to mitigating construction.
- Immediately following work, and/or concurrent with permitted work, as may be required, replacement of sod and/or grassing shall be required for any disturbed right-of-way.
- 40 All property disturbed by authorization of this permit shall be restored better than or equal to its original condition and to the satisfaction of the Public Works Department's assignee
- 11. Whenever necessary for the construction, repair, maintenance, improvement, alteration or relocation of said right-of-way or easement, as determined by the City's assignee, any or all poles wires pipes culverts cables sod landscaping driveways sprinklers or other facilities and appurtenances authorized, shall be removed from said right-of-way or easement, or re-set or re-located thereon, as required and so notified by the City's assignee, and at the expense of the permittee his successor or assigns. The minimum notice of the requirement for non-emergency removal is ten (10) days; for emergency removal, the City reserves the right to an improvements without notice.

- 12. Where the owner/agent/permittee or his successor or assign is notified of a need for construction, repair, maintenance, improvement, alteration of or relocation within the right-of-way or easement and no action is taken by the responsible party within the time frame specified by the City's assignee, the City shall cause the permitted work to be altered, relocated, or removed, with the total expense being borne by the permittee or the responsible party.
- 13. Applicant shall remain obligated to obtain necessary rights of entry for construction and maintenance where required right-of-way for private and/or public use has not been dedicated and accepted by the City of Naples.
- 14. The Permittee shall assume all responsibilities and liabilities for any and all damage from permitted work.
- 15. The Permittee shall provide, install and maintain a 'maintenance of traffic' plan (MOT) as set forth in FDOT/MUTCD specifications. The MOT shall be subject of submittal/review/approval monitoring by the City of Naples.
- 16. Permittee shall assure 'NO-CUTS' notice, utility identification and locates for all utilities, to include water service, sewer service, electrical service and irrigation system and cable service and applicant shall remain responsible for locating any and all utilities both aerial and underground.
- 17. Number to call for Utility Location Notification: 'NO CUTS' 1-800-542-0088.

 (This number applies to: FPL, UTS, SPRINT, and CABLEVISION AND CITY WATER/SEWER).
- 18.Due to safety concerns, the permittee shall immediately notify the Public Works Department, @ 213-5000 of any vehicle crashes, property damage, personal injury or questionable activities so as to ensure that the City is aware of operational characteristics and can implement changes as necessary.
- 19. Permittee shall be responsible to coordinate removal of City landscaping with City of Naples, Community Services Department Operations Director @ 213-7120. Restoration of City landscaping shall also be subject of coordination with and approval of the Community Services Operations Director.
- 20.City reserves the right to undertake changes, modifications and/or terminate permitted activities without risk or liability of any kind, and the Permittee shall remain responsible and liable for resulting conditions from any and all actions of the City in terminating any and all segments of the work.

- 21.Public right-of-way shall be subject of daily 'housekeeping' so as to maintain safe surfaces and safe right-of-way or continuation of existing right-of-way uses to include vehicular, biking, pedestrian, and others.
- 22. Work within the roadway swale shall be subject of elevation controls to assure no blockage of drainage.
- 23. The proposed permitted facilities must maintain a 5-foot horizontal and 18 inch vertical clearance from all utility facilities.
- 24. Permittee must coordinate all work with the City's Utilities Department at (239) 213-4720.
- 25. City Personnel must verify the proposed construction route prior to Construction.
- 26. Two prints of the proposed work covering details of this installation shall be made a part of t his permit.
- 27.If a pavement is cut, it shall be immediately restored as per City Code and warranteed for one year.
- 28. Provide 24 Hour Notice to Police, Fire, and EMS at (239) 213-4844

| 29. Other Conditions: ATTRUNED SPECIAL COHOITIONS |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| LIST OF ATTACHMENTS SIGN EXHIBIT + LOCATION SKETCH |
| Applicant, by execution of this Permit Application, agrees to conduct all work and use of Public Right-of-Way in accordance with the above conditions, approved attachments and applicable City, County, State and Federal Codes and Laws. |
| ORIGINAL SIGNATURE |
| Thomas G. Benver 8/26/10 There |
| Printed Name of Applicant (Owner/Agent) Date Signature |
| PAGES 2, 3, AND 4 MUST BE ATTACHED TO JOB COPY. |
| PRE-CONSTRUCTION MEETING REQUIRED: YESNO |
| CITY APPROVAL: |
| Approved By: Title: |
| |
| Date: Comments: |
| |

L:/deptdata/PUBLICRIGHTOFWAYPERMIT

10/04

2010-108

CITY OF NAPLES STREETS & STORMWATER DEPARTMENT ENGINEERING DIVISION

SPECIAL CONDITIONS OF R/W PERMIT #2010-108 FOR APPROVAL OF THE NAPLES PLAYERS SIGN AT THE SUGDEN PLAZA August 27, 2010

SUBJECT: The following are Special Conditions for approval of the installation and operation of an information sign by the Naples Players at the Sugden Plaza pursuant to sign permit application #10-2872. These special conditions along with the standard permit conditions shall serve to place the permittee on notice of their responsibilities and liabilities:

SPECIAL RIGHT-OF-WAY PERMIT CONDITIONS:

- Subject to approval is pursuant to both the City-Naples Players Use Agreement and current 'D' Downtown zoning.
- 2. Proposed sign and sign location are as shown on the permit attachment.
- Placement of the sign shall not interfere with public/private access, shall not
 constrain use of public/private facilities and shall not create a sight constraint for
 drivers and/or pedestrians.
- 4. The permittee shall remain responsible and liable for any and all impacts of the subject signage in the public right-of-way, particularly as it may relate to operation, maintenance and repair of public and private utilities. This responsibility shall include the requirement for relocation/removal upon notice of the City due to pending City improvements, utility installations, maintenance and/or repair work.
- 5. Where the permittee or his successor or assign is notified of a need for sign removal/relocation due to utility construction, repair, maintenance, improvement, alteration or utility relocation within the right-of-way and no action is taken within the time frame specified by the City's assignee, the City shall cause the permitted sign to be altered, relocated, or removed at no risk to the City.
- This approval is for temporary use of the right-of-way for information signing and as such this approval is permissive and may be subject to reconsideration by the City at any time.
- 7. This approval is not intended to supersede any Naples Code requirement and the permittee shall comply with all applicable code & building requirements.
- 8. The City of Naples shall be relieved of any and all responsibility from damage or liability of damage of any nature arising from work authorized under this permit.
- 9. By accepting this permit, the permittee recognizes that there are no vested rights to signage in the public right-of-way and agrees to abide by all permit conditions.

For purposes of right-of-way coordination, the City's assignee can be contacted at telephone number 213-5004/fax number 213-5004.



THE NAPLES PLAYERS at Sugden Community Theatre

BOARD OF DIRECTORS

Terri Caple President

Ken O'Leary Executive Vice President, Membership Chairman

Rose Mary Everett Vice President, Fundraising

Theresa Bill, Treasurer

Steve Pozgay, Secretary

Charles Brown, Immediate Past President

Mary Baron

Ed Bransilver

Ted DeGroot

Carol Dubnickí

Lois Kluberdanz

James Little

Bob Schoonmaker

John Sorey III City Council Designee

Sandi Wilson

Kelley Geraghty Price, Esq. Ex-Officio

Jim Rideourte
Executive Director

701 5th Ayenue South Naples, Florida 34102-6662

Business Office: (239) 434-7340

Box Office: (239) 263-7990

(239) 434-7772

Email:

theatre@naplesplayers.org

Web Site: www.naplesplayers.org August 18, 2010

The Naples Players 701 Fifth Ave South Naples, FL 34102

Phone: 239-434-7340 Fax: 239-434-7772

RE: The Naples Players, Sugden Community Theatre, 701 5th Avenue South, Naples, FL 34102

To Whom It May Concern:

Please be advised that I, <u>DALLAS DUNNAGAN</u>, do hereby give written Lessee/Tenant

Permission for SIGNCRAFT OF NAPLES INC. to erect and/ or alter signage on the above mentioned property

Sincerely,

Signature: Dalla Dumagan

8/18/10 Date

Tenant signature

DALLAS DUNNAGAN

Print or type name, as (please check one the boxes below)

Date

Owner / Owner's agent

(NOTARY SEAL HERE)

STATE OF Florida
COUNTY OF COLLIER

SWORN TO and subscribed before me this 18 day of August, 2010, by DALLAS DUNNAGAM (name), as Arhstic Dir (title) of

The NAPLES PLAME TRame of corporation), a (state) corporation, on behalf of the corporation. He/She (please check as applicable) /_____/ is personally known to me, or has produced /____/ his/her____(state) driver' licenso, or his/her_____(state)

(type of identification) as identification.

OLORES K Fett

(Printed Name)

NOTARY PUBLIC, STATE OF FL

(Commission Expiration Date)





JUSTOMER APPROVAL

Collier County Property Appraiser

