



TO: Mayor Shaun Sipma
Members of the City Council

FROM: Emily Huettl, PE, Assistant City Engineer

DATE: 8/20/2019

**SUBJECT: RIGHT OF WAY ENCROACHMENT APPLICATION –
ROOFTOP INGRESS/EGRESS STAIRCASE – 220 SOUTH BROADWAY**

I. RECOMMENDED ACTION

1. Recommend approval of the Right of Way Encroachment Agreement Application submitted by Derf, Inc. for the installation of a staircase at their building at 220 South Broadway.

II. DEPARTMENT CONTACT PERSONS

Emily Huettl, Assistant City Engineer	857-4100
Lance Meyer, City Engineer	857-4100

III. DESCRIPTION

A. Background

Derf, Inc. wishes to install a staircase along the outside of the southern wall of their building at 220 South Broadway. The bottom of the support beams at the lowest portion of the staircase is a minimum of eight (8) feet above the elevation of the existing sidewalk below.

B. Proposed Project

The proposal is to construct a staircase with necessary landing areas to allow ingress/egress to the rooftop seating area on top of the building. as shown in the attached sketch. The proposed staircase will encroach on the City's right-of-way.

Encroachments within the right-of-way are interpreted as a permanent encroachment as defined in Article I. Section 28-3 of the Code of Ordinances. If the City Council deems that the request is warranted, it should be approved with the following recommendations:

1. That the City Council approves the encroachment listed above.
2. That the permit holder agrees that the costs of maintenance and replacement be their responsibility.
3. That the City Attorney prepares the encroachment permit agreement, including language to protect the City from liability.
4. That the City Council retains the right to revoke the encroachment permit if it becomes necessary for any reasons.
5. That the permit holder pays a \$100 permit fee.
7. That no person may install the proposed staircase within the public right-of-way without having first obtained a permit from the City Engineer.

- C. Consultant Selection
N/A

IV. IMPACT:

- A. Strategic Impact:
N/A

- B. Service/Delivery Impact:

This project will provide a required second route of ingress/egress to the rooftop seating area of this building.

- C. Fiscal Impact:

There will be no fiscal impact to the City. Derf, Inc. will be responsible for installing the staircase and removing it if the need would arise.

V. ALTERNATIVES

Alt 1. Council could deny the encroachment permit. The building owner would not have adequate routes of ingress/egress from the rooftop seating area or would have to construct an additional staircase in the building's interior, which would be costly and take up building space.

VI. TIME CONSTRAINTS

N/A

VII. LIST OF ATTACHMENTS

- A. Encroachment Application
- B. Floor Plan
- C. Exterior Stair Elevation Detail
- D. Draft Encroachment Permit