



TO: Mayor Shaun Sipma
Members of the City Council

FROM: Emily Huettl, PE, Assistant City Engineer

DATE: 7/20/2020

SUBJECT: ENCROACHMENT PERMIT - 1ST STREET NE RAMP - 21EC

I. RECOMMENDED ACTION

1. Recommend approval of the Right of Way Encroachment Agreement Application submitted by Creedence Properties III, LLC for the installation of one ADA access ramp and one staircase along 1st Street NE for their building at 21 East Central Avenue.

II. DEPARTMENT CONTACT PERSONS

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

III. DESCRIPTION

A. Background

Creedence Properties III, LLC wishes to provide access to their building from the eastern adjacent public sidewalk. The interior finished floor elevation is approximately 2'-6" higher than the exterior sidewalk elevation. While the front/south door has an interior ramp allowing for ADA access to that portion of the building, the eastern ADA ramp is necessary to access the building's elevator shaft and upper floors. The northeastern staircase is to provide direct access to the rear/northern building tenant.

B. Proposed Project

The proposal is to construct one ADA accessible ramp and one staircase to allow ingress/egress to the east side of the building, as shown in the attached building floor plan. The proposed ramp and staircase will encroach on the City's right-of-way but have been designed to maintain proper access along the City's sidewalk.

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. No person may install the proposed ramp 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 improve pedestrian access to this building in downtown.

C. Fiscal Impact:

There will be no fiscal impact to the City. Creedence Properties III, LLC will be responsible for installing the access ramp and staircase and removing them if the need would arise.

V. ALTERNATIVES

Alt 1. Council could deny the encroachment permit. The building owner would have no ADA access to the elevator shaft or would have to construct the ramp and/or stairs in the building's interior and revise the entire interior layout, which would be costly and take up building space.

VI. TIME CONSTRAINTS

N/A

VII. LIST OF ATTACHMENTS

- A. Encroachment Application
- B. Encroachment Permit