



TO: Mayor Shaun Sipma
Members of the City Council

FROM: Emily Huettl, PE, Assistant City Engineer

DATE: 9/8/2020

SUBJECT: ENCROACHMENT PERMIT – 17 2ND AVE SE

I. RECOMMENDED ACTION

1. Recommend approval of the Right of Way Encroachment Permit Application submitted by Rau Rental, LLC for the projecting sign and awnings at their building at 17 2nd Ave SE.

II. DEPARTMENT CONTACT PERSONS

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

III. DESCRIPTION

A. Background

Rau Rental, LLC and their tenant wish to install a new sign face for the existing projecting sign from the southern face of their building at 17 2nd Ave SE. The bottom of the existing sign and existing awning exceed the required minimum of eighty-inches (80”) above the elevation of the existing sidewalk below.

B. Proposed Project

The proposal is to replace the face of the existing projecting sign from the building, as shown in the attached sketch. The existing sign and awning encroach on the City’s right-of-way and now is the appropriate time to formally document and permit this encroachment.

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 sign 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 better signage for one of the tenants of this building.

- C. Fiscal Impact:
There will be no fiscal impact to the City. Rau Rental, LLC will be responsible for installing the sign and removing the sign and awnings if the need would arise.

V. ALTERNATIVES

Alt 1. Council could deny the encroachment permit but the sign mount and awnings are already in place and have been for many years.

VI. TIME CONSTRAINTS
N/A

VII. LIST OF ATTACHMENTS

- A. Encroachment Application
- B. Sign Sketch
- C. Encroachment Permit