



TO: Mayor Shaun Sipma
Members of the City Council

FROM: Emily Huettl, PE, Assistant City Engineer

DATE: 5/3/2021

SUBJECT: ENCROACHMENT PERMIT – 101 3RD AVENUE SW

I. RECOMMENDED ACTION

1. Recommend approval of the Right of Way Encroachment Permit Application submitted by Indigo Signs on behalf of Trinity Health for the projecting sign on their building at 101 3rd Avenue SW.

II. DEPARTMENT CONTACT PERSONS

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

III. DESCRIPTION

A. Background

Trinity Health wishes to install a new sign in place of an existing projecting sign from the eastern face of their building at 101 3rd Avenue SW. The bottom of the existing and proposed sign exceeds the required minimum of eighty-inches (80”) above the elevation of the existing sidewalk below.

B. Proposed Project

The proposal is to replace the existing projecting sign from the building, as shown in the attached application. The existing sign encroaches 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 updated signage for this building.

- C. Fiscal Impact:
There will be no fiscal impact to the City. Trinity Health 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 is already in place and has been for many years.

VI. TIME CONSTRAINTS
N/A

VII. LIST OF ATTACHMENTS

- A. Encroachment Application
- B. Encroachment Permit