



TO: Mayor Shaun Sipma
Members of the City Council

FROM: Emily Huettl, PE, Assistant City Engineer

DATE: 7/19/2021

SUBJECT: ENCROACHMENT PERMIT – 1602 27TH ST SE

I. RECOMMENDED ACTION

1. Recommend approval of the Right of Way Encroachment Permit Application for the sign at 1602 27th St SE.

II. DEPARTMENT CONTACT PERSONS

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

III. DESCRIPTION

A. Background

Dakota Agronomy Partners submitted an encroachment permit application for a sign for a sign within the right of way east of their property at 1602 27th St SE. Because of the previous realignment of 27th St SE, there is excess of right of way in this location. A sign located on their property would be approximately 150' from the roadway and would not be easily seen by the traveling public.

B. Proposed Project

The proposal is to add a new sign, as shown in the attached application.

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 signage for this business.

- C. Fiscal Impact:
There will be no fiscal impact to the City. The property owner will be responsible for installing the sign and removing the sign if the need would arise.

V. ALTERNATIVES

Alt 1. Council could deny the encroachment permit and the sign would not be installed.

VI. TIME CONSTRAINTS
N/A

VII. LIST OF ATTACHMENTS

- A. Encroachment Application
- B. Encroachment Permit