

COUNCIL ACTION FORM

**SUBJECT: ENCROACHMENT PERMIT FOR STAIRWAY AND RAILINGS,
ENTRANCE AND CANOPY, AND DUMPSTER ENCLOSURE AT 400
MAIN STREET**

BACKGROUND:

The new owner of the building at 400 Main Street, Randy Pyle, has requested an encroachment permit for planned improvements on the building's east and south sides.

The proposed renovations include installation of new stairs and hand railings at the northeast corner of the building; replacement of the existing sidewalk to provide drainage away from the building; new steps, landing, and railing on the east side; and a dumpster enclosure on the south side of the building, as detailed on the attached plans.

The requirements of Section 22.3 of the *Municipal Code* have been met with the submittal of a hold-harmless agreement signed by the property owner, and a certificate of liability insurance coverage which protects the City in case of an accident. The fee for this permit was calculated at \$206, and the full amount has been received by the City Clerk's Office.

One issue that is of some concern regarding this encroachment request is the viability of the trees on the west side of Tom Evans Plaza as the result of the proposed reconstruction of the sidewalk along the east side of 400 Main Street. Stress caused by this construction could result in the death of the four mature trees.

If you recall, these trees were an issue when the artist who painted the mural on the east side wall of 400 Main Street asked that these trees be removed to create greater visibility for the mural. This removal request was ultimately denied.

One possible solution to this dilemma is to support the proposed improvement to this building by the granting this encroachment with the condition that the property owner be responsible for replacing any of the four trees that die within 3 years of the completion of the construction work with mature trees (2 to 3 years old) approved by the Parks and Recreation Director.

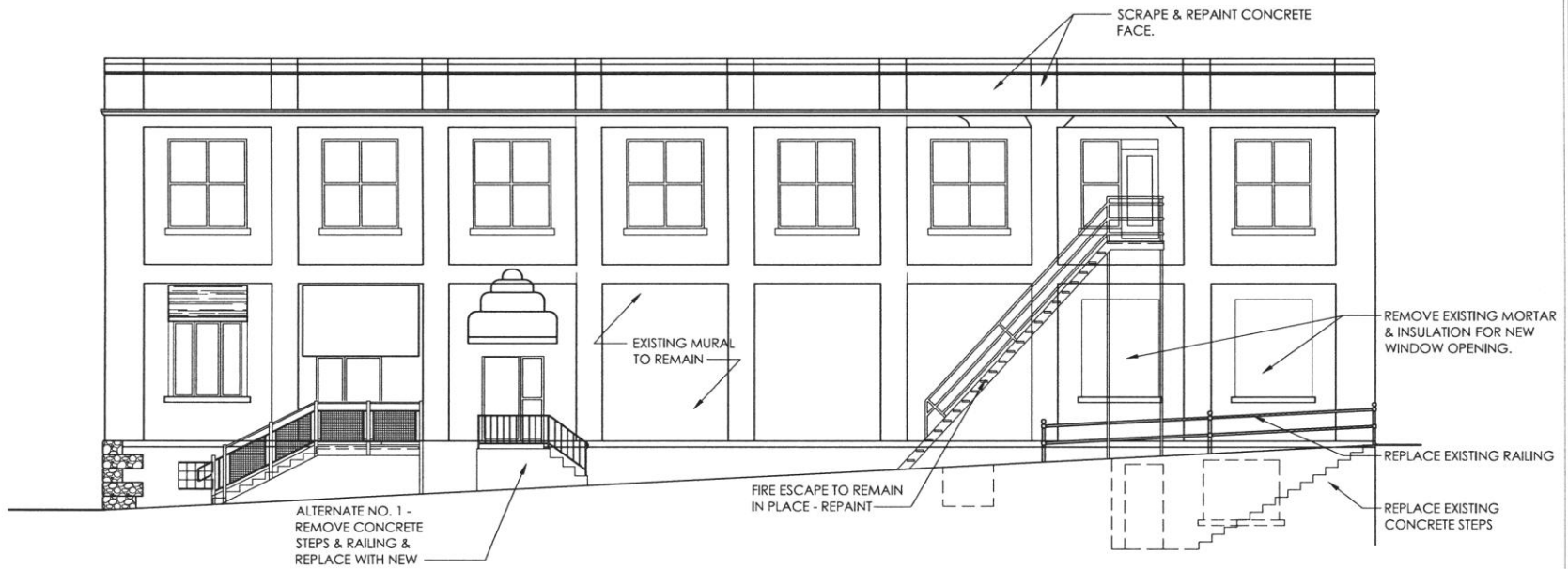
ALTERNATIVES:

1. The City Council can approve the encroachment permit as requested.
2. The City Council can approve the encroachment permit with the condition that the property owner be responsible for replacing any of the four trees that die within 3 years of the completion of the sidewalk construction work with mature trees (2 to 3 years old) approved by the Parks and Recreation Director.

3. The City Council can deny the request for the encroachment permit.

MANAGER'S RECOMMENDED ACTION:

Assuming that the City Council still values the trees that were planted in Tom Evans Plaza to create a park-like environment in an urban setting, it is the recommendation of the City Manager that the City Council adopt **Alternative No. 2**, thereby granting the encroachment permit with the condition that the property owner be responsible for replacing any of the four trees that die within 3 years of the completion of the sidewalk construction work with mature trees (2 to 3 years old) approved by the Parks and Recreation Director.



EXISTING EAST ELEVATION

SCALE: 1/8" = 1'-0"

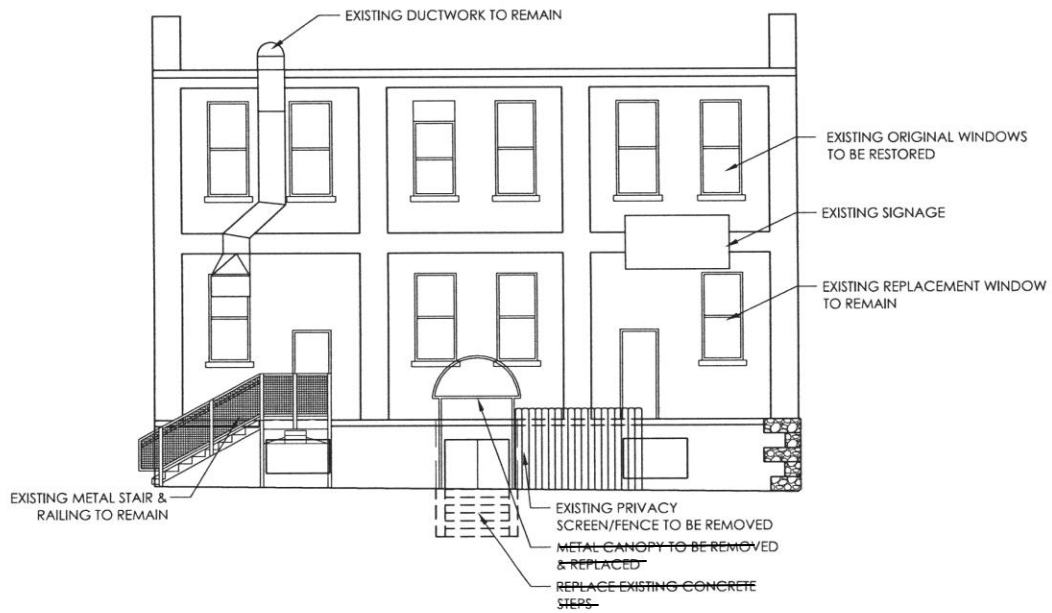
Benjamin Design Collaborative, P.C.
 401 Clark Avenue, Suite 200, Ames, IA 50010
 P: 515.232.8662
 www.benjamin-design.com



400 MAIN BASEMENT RETROFIT
 RANDY & KRISTIN PYLE
 MAIN STREET, AMES, IOWA

(DATE)	07-05-13
(PROJ. NO.)	21316
(FILE NAME)	21316_BASE
(CONTEXT)	EXISTING EAST ELEVATION
(SHEET NO.)	7

A3



EXISTING SOUTH ELEVATION

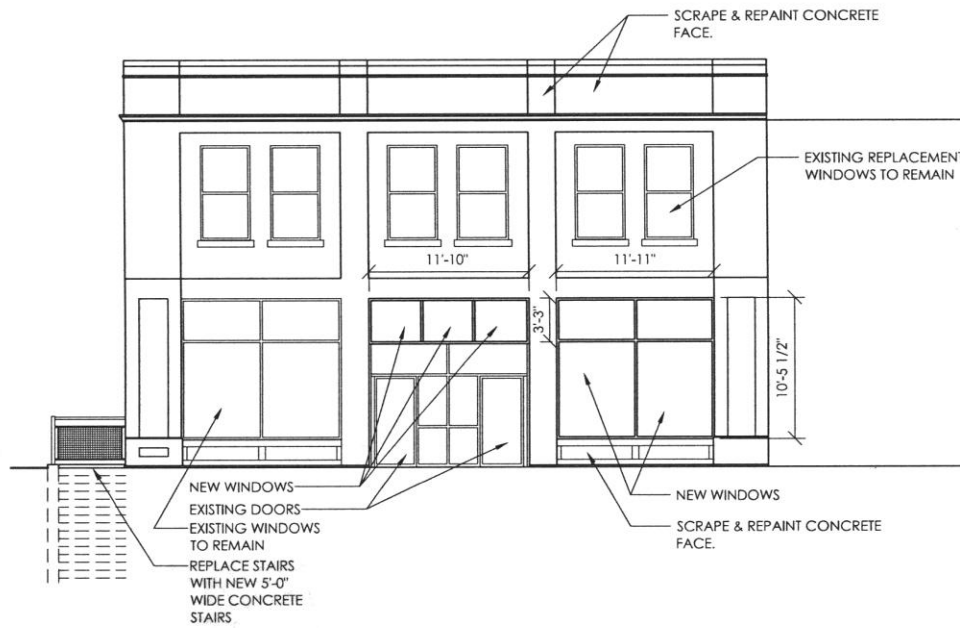
SCALE: 1/8" = 1'-0"

Benjamin Design Collaborative, P.C.
 401 Clark Avenue, Suite 200, Ames, IA 50010
 Phone: 515.232.0288 Fax: 515.232.0288
 www.benjamin-design.com



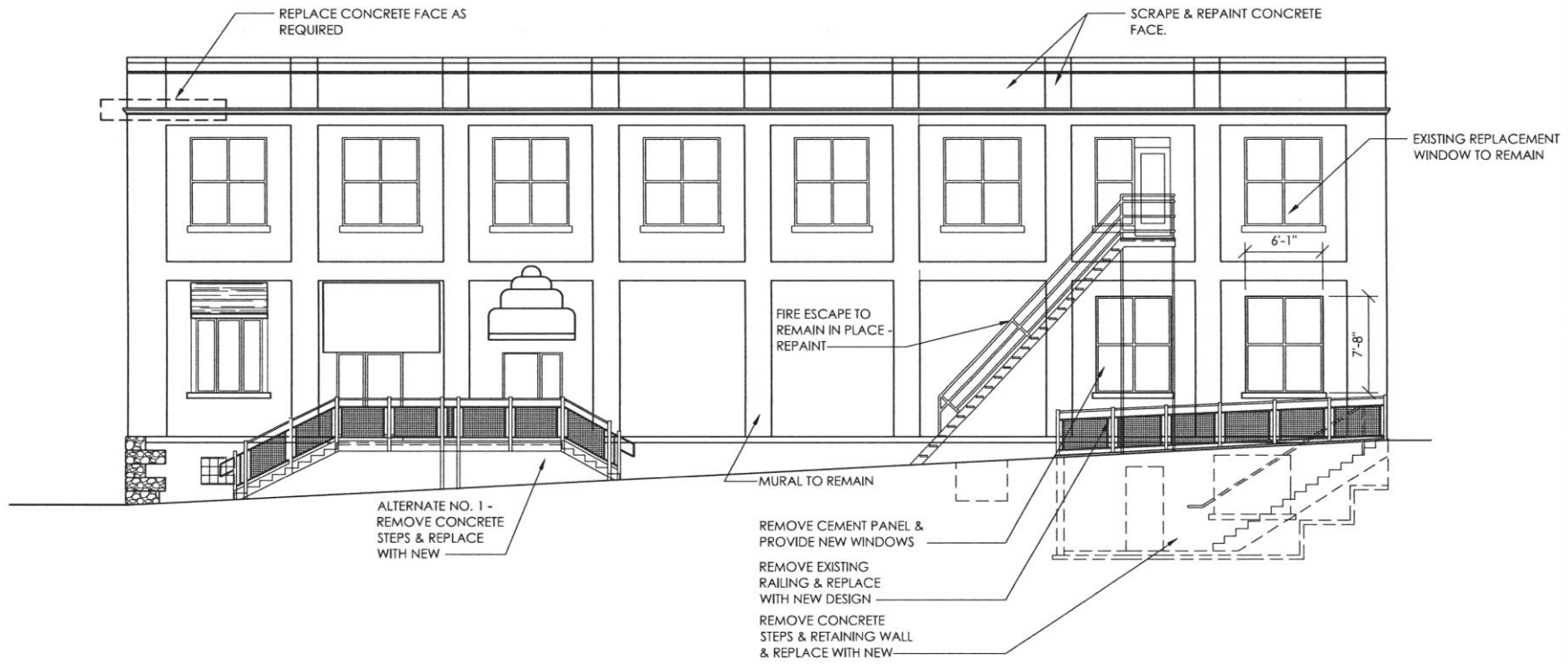
400 MAIN BASEMENT RETROFIT
 RANDY & KRISTIN PYLE
 MAIN STREET, AMES, IOWA

(DATE)	07-05-13
(PROJ. NO.)	21316
(FILE NAME)	21316_BASE
(CONTENTS)	EXISTING SOUTH ELEVATION
(SHEET NO.)	A4- 7



PROPOSED NORTH ELEVATION

SCALE: 1/8" = 1'-0"



PROPOSED EAST ELEVATION

SCALE: 1/8" = 1'-0"

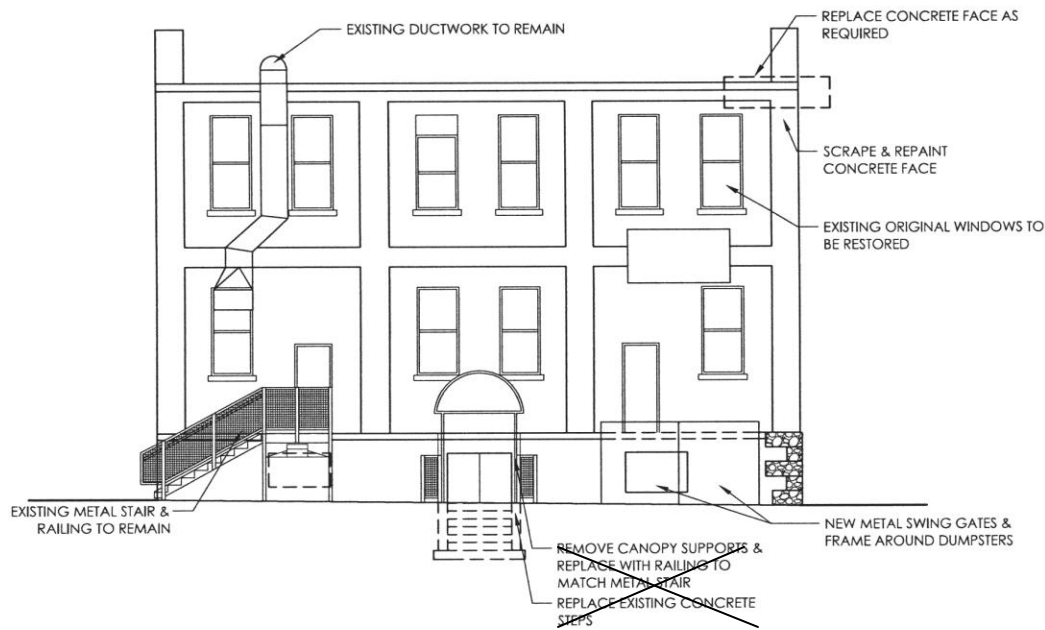
Benjamin Design Collaborative, P.C.
 401 Clark Avenue, Suite 200, Ames, IA 50010
 Phone: 515.232.0668 Fax: 515.232.0662
 www.benjamin-design.com



400 MAIN BASEMENT RETROFIT
 RANDY & KRISTIN PYLE
 MAIN STREET, AMES, IOWA

[DATE]
07-05-13
[PROJ. NO.]
21316
[FILE NAME]
21316_BASE
[CONTENTS]
PROPOSED EAST ELEVATION

[SHEET NO.]
A6 of 7



PROPOSED SOUTH ELEVATION

SCALE: 1/8" = 1'-0"

	
Benjamin Design Collaborative, P.C. 401 Clark Avenue, Suite 200, Ames, IA 50010 Tel: 515.323.0888 Fax: 515.323.0882 www.benjamin-design.com	
400 MAIN BASEMENT RETROFIT RANDY & KRISTIN PYLE MAIN STREET, AMES, IOWA	
(DATE)	07-05-13
(PROJ. NO.)	21316
(FILE NAME)	21316_BASE
(CONTENTS)	PROPOSED SOUTH ELEVATION
(SHEET NO.)	A7 - 7