

## COUNCIL ACTION FORM

**SUBJECT: ENCROACHMENT PERMIT FOR A SIGN AT 2420 LINCOLN WAY  
SUITE 101 (SMOKIN OAK PIZZA)**

### **BACKGROUND:**

The owner of the property at 2420 Lincoln Way is seeking approval for an encroachment permit that would allow a sign to hang into the public way. The proposed sign is a wall sign mounted to the face of the building. It will extend 4 inches over the sidewalk, but will not affect use of the sidewalk.

The sign permit application for the proposed sign has been reviewed by the Inspection Division and complies with all regulations regarding signage. The sign permit application is pending approval contingent on the approval of the encroachment permit.

Chapter 22.3(3) of the Ames Municipal Code requires approval of the Encroachment Permit Application by the Ames City Council before a permit can be issued. By signing the application, the Owner has agreed to hold harmless the City of Ames against any loss or liability as a result of the encroachment, to submit proof of insurance, and to pay a fee for the encroachment. The Owner also understands that this approval may be revoked at any time by the City Council. Upon receipt of proof of insurance, a payment of \$25.00, and Council approval, the Inspection Division will issue a permit for the encroachment.

### **ALTERNATIVES:**

1. Approve the application allowing the applicant to erect the sign once the permit has been issued.
2. Modify the application allowing the applicant to erect the sign, with modifications, once the permit has been issued.
3. Deny the application prohibiting the applicant from placing the proposed sign over the public way.

### **MANAGER'S RECOMMENDED ACTION:**

It is the recommendation of the City Manager that the City Council adopt Alternative No. 1, thereby granting the encroachment permit for this sign.



515 Clark Avenue  
Ames, IA 50010  
515.239.5153 Phone  
515.239.5261 Fax

### ENCROACHMENT PERMIT APPLICATION/AGREEMENT

Address of Encroachment: 2420 LINCOLN WAY, SUITE 101

Type of Encroachment: SIGNAGE OVERTHANG

Total Square Feet of the Area to Encroach: 4 FEET (See attached submittal guidelines)

Applicant is:  Property Owner  Tenant  Contractor 2014 BUSINESS AS SMOKIN OAK PIZZA

Applicant Name: CAMPUSTOWN HOSPITALITY GROUP Phone: 641 529 0975

Mailing Address: 1401 6TH AVE SOUTH, CLEAR LAKE IA 50428 Email: CHG@KINGLAND.COM

Property Owner Name: KINGLAND CAMPUS PROPERTIES

Phone: 641 355 1000 Mailing Address: 1401 6TH AVE SOUTH, CLEAR LAKE, IA 50428

By signing this application, the Building Owner agrees to the following conditions, upon approval:

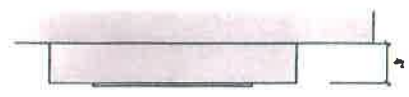
1. The Owners do hereby indemnify and hold harmless the City of Ames, its officers and employees, against any loss or liability whatsoever made by any and all persons whomsoever, resulting from or arising out of the location and maintenance of the encroachment.
2. The Owners shall submit and maintain, through the period of the encroachment, comprehensive general liability insurance coverage in the amount of not less than \$500,000 combined single limit and a current copy of Endorsement CG 2013, naming the City of Ames and its employees and assigns, as an additional insured on the policy. The Owner will supply the City Clerk's Office annually with a current copy of the insurance and the endorsement.
3. The City Council may revoke the permit at any time.
4. This agreement shall run with the land and be binding upon the successors and assignees of the parties hereto.
5. The Owners shall notify the City Clerk at the time that the encroachment ceases to exist, or before making any modification to the encroachment.
6. The encroachment will be built and erected in the same manner as shown on the attached sketch.
7. To pay a one-time encroachment fee of \$25 or \$1 for every square foot that encroaches, whichever is larger.

Property Owner Signature [Signature] Date 02/07/17

#### FOR OFFICE USE

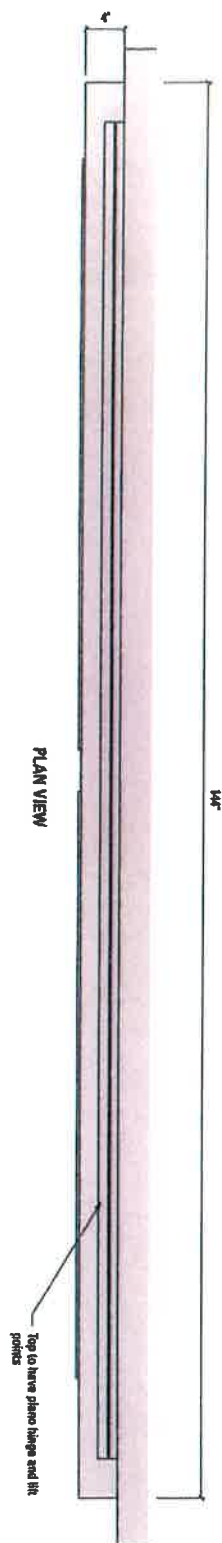
- Fee Received
- Insurance Received
- Insurance Approved by HR
- Sketch of Encroachment Received
- Approved by City Council on
- Date: \_\_\_\_\_

Approved by: \_\_\_\_\_ Date: \_\_\_\_\_ Permit No: \_\_\_\_\_



Revision	Description	Date

**Sign Type:** E82.2  
**Description:** Layer Flag Mount  
**Scale:** None  
**Project:** E82.2 Signage  
**Client:** Smokin Oak Piza  
**Date:** 12/17/15  
**By:** RMH



PLAN VIEW

**120 V**  
  
**1 TASK #: 48447**  
**Drawing Notes:**  
 Layer Wall Mount Quantity (1)  
**TEMPLATE NOTE:**  
 Paper template to ship with signage

This drawing is the property of the client. It is to be used for the project only. It is not to be reproduced, stored in a retrieval system, or transmitted in any form or by any means, electronic, mechanical, photocopying, recording, or by any information storage and retrieval system, without the prior written permission of the client.