ITEM #	28
DATE:	8-13-13

## COUNCIL ACTION FORM

# **SUBJECT:** ENCROACHMENT PERMIT FOR FLAG POLES AT 432 5<sup>th</sup> STREET

#### BACKGROUND:

The tenant in the building at 432 5<sup>th</sup> Street, Miss Meyer's Clothing Consignment, has requested an encroachment permit to allow two flag poles and "Open" flags to extend into the City right-of-way.

As directed by the City's Traffic Engineer, the mounting brackets will be placed at least six feet above the sidewalk. The flags should extend not more than five feet out over the sidewalk, and will not infringe upon the use of the sidewalk by the public. The flags will only be in place during hours that the business is open.

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 the applicant, and a certificate of liability insurance coverage which protects the City in case of an accident. The fee for this permit was calculated at \$25, and the full amount has been received by the City Clerk's Office.

### ALTERNATIVES:

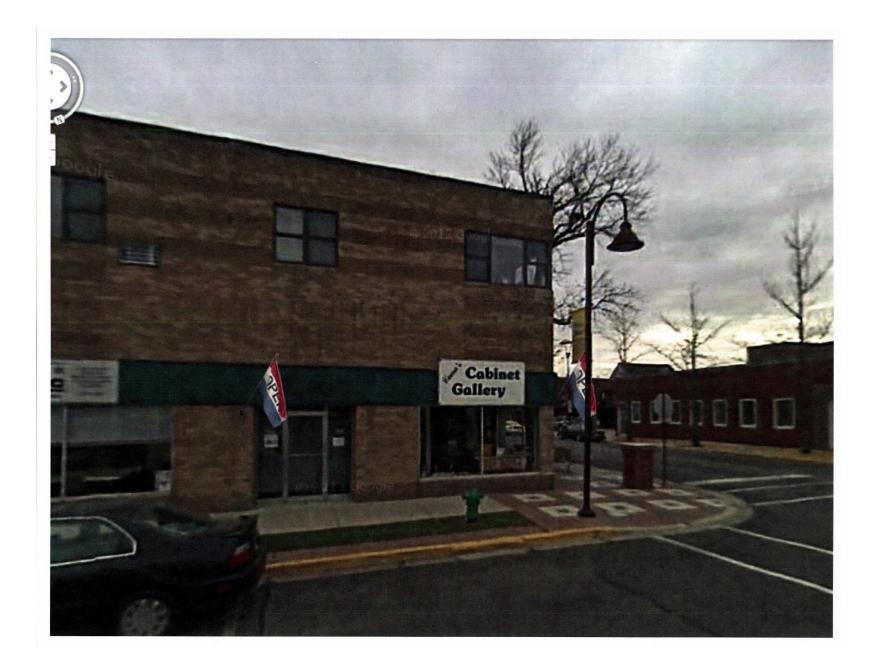
- 1. Approve the request.
- 2. Deny the request.

#### **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 the flag poles and flags.

I'm applying for an Ames Encroachments Permit so that I may mount two brackets to the exterior of my shop building for hanging OPEN flags while my shop is open. My shop location is just off Main Street, and is a destination location; nothing immediately around will attract customers. I do have good visibility from the intersection of 5th St and Clark St. This is why I need a more visible way to show when my shop is open for people driving by my shop. These flags will be easier and safer for my staff to put up and remove on a daily basis. (Our current open sign is extremely heavy and difficult to move so that it doesn't blow over in heavy wind) These flags would also free up sidewalk space for patrons walking by our building because I would no longer use my current sign. I'd mount the flags high enough so that they wouldn't hang in the way of people walking by my shop. I'd like to place one flag by the entrance door to my shop, and the other flag on the NW corner of the building between my window displays to attract business from both sides of the building. Nearly identical flag signs to what I want to use are currently being used in Story City along Broad Street. The owners of those stores have told me that these flag signs have been very effective and noninvasive to people walking by. I've attached a visual representation to what I'm hoping to do. Please ignore the fact that the picture shows my shop space being occupied by the prior tenant Cabinet Gallery; Google apparently hasn't updated there street view of my building for over three four years. As you can see from the picture, the flags would be hung in such a way as to not interfere with people walking by my building.

These flag signs would help attract business to my shop as well as be easier and safer for my employees to use each day. Thank you for your consideration. If you have any questions, please reach out to me on my cell phone: 515-450-4548.



This Open Flag features double-stitching to make it more durable!

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