

COUNCIL ACTION FORM

SUBJECT: ENCROACHMENT PERMIT FOR A SIGN AT 4625 RELIABLE STREET

BACKGROUND:

The property owner of 4625 Reliable Street is seeking approval for an Encroachment Permit that would allow a wooden structure to remain at the west end of paved City right-of-way. The right-of-way on Reliable Street is wider than what is typically seen on a local street. A large scale had previously been located on the area in question, and more recently, it was used as parking. The wooden structure, measuring 46' x 10', was designed by Architecture Studio 202 at Iowa State University for use as a parklet; however, it was never used as such. The structure has been occupying the paved City right-of-way at 4625 Reliable Street for several months, and the owner wishes it to remain. The space is intended to be a transition from rest to play; it is a horizontal structure comprised of nooks and crannies. The public has been using it to sit on as a place to relax or to gather and as a play structure for children to climb on.

Chapter 22.3(3) of the Ames Municipal Code requires approval of the Encroachment Permit Application by the Ames City Council before the Permit can be issued. An Encroachment Agreement has been signed by the property owner which indemnifies the City of Ames against any loss or liability as a result of the encroachment, has submitted a Certificate of Liability Insurance, and has paid the fee (\$460). The owner also understands that this approval may be revoked at any time by the City Council.

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 an Encroachment Permit for the wooden structure to be placed on paved City right-of-way at the west end of 4625 Reliable Street.



515 Clark Avenue
Ames, IA 50010
515.239.5153 Phone
515.239.5261 Fax

ENCROACHMENT PERMIT APPLICATION/AGREEMENT

Address of Encroachment: 4625 Reliable St Ames, IA 50014

Type of Encroachment: Wooden Structure

Total Square Feet of the Area to Encroach: 480' (See attached submittal guidelines)

Applicant is: Property Owner Tenant Contractor

Applicant Name: Elliot Thompson Phone: (515) 460-6581

Mailing Address: 3211 Lettie St Ames, IA 50014 Email: elliott@reliablestreet.com

Property Owner Name: Same

Phone: - Mailing Address: -

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

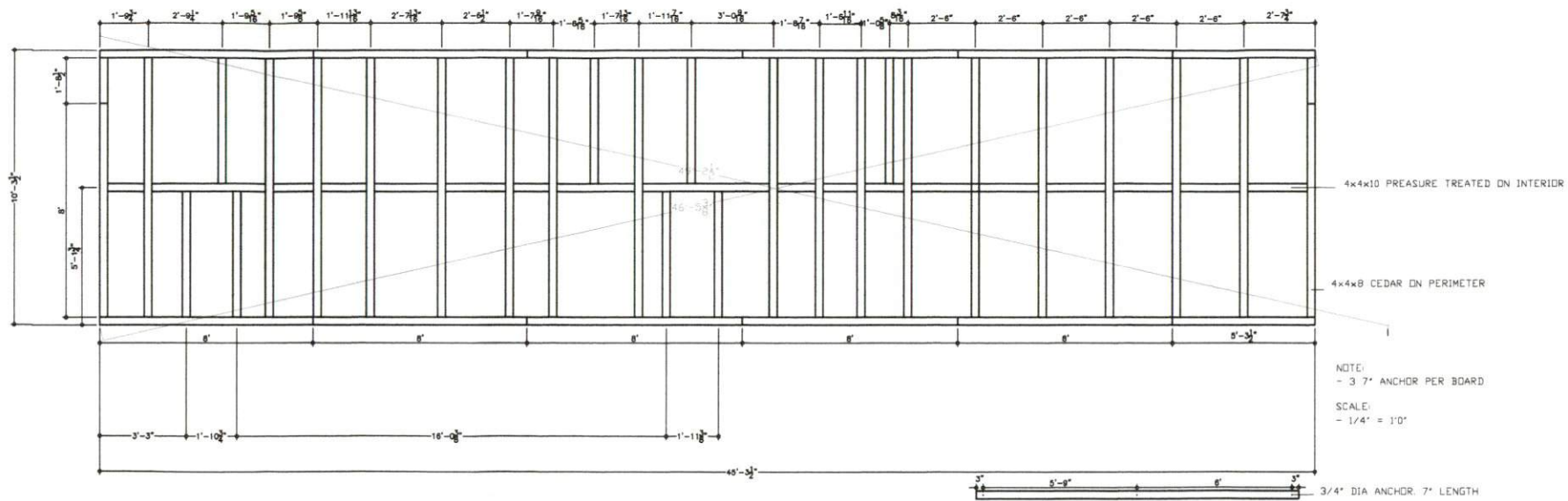
1. The Owners do hereby indemnify and hold harmless the City of Ames, its officers and employees, against any loss or liability whatsoever made by any and all persons whomsoever, resulting from or arising out of the location and maintenance of the encroachment.
2. The Owners shall submit and maintain, 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.

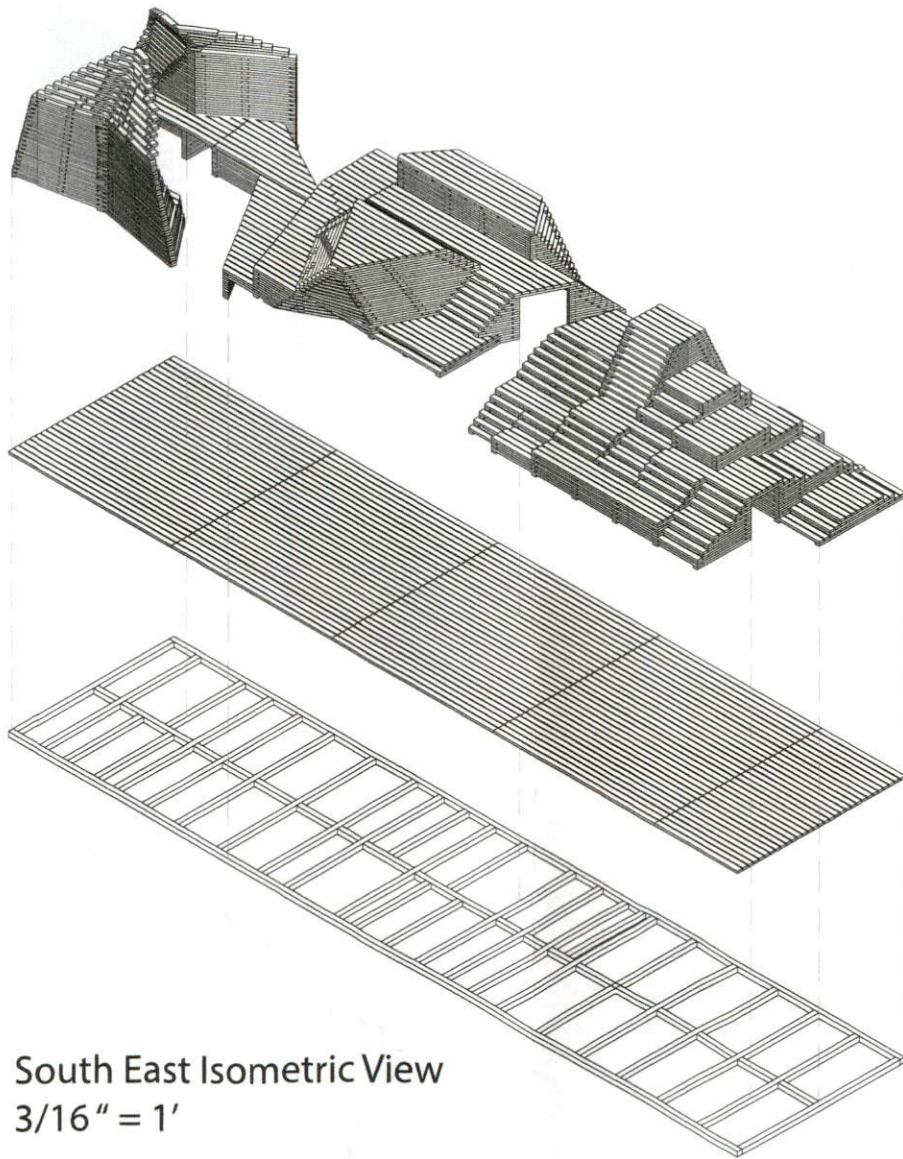
Property Owner Signature Date 8/28/17

FOR OFFICE USE

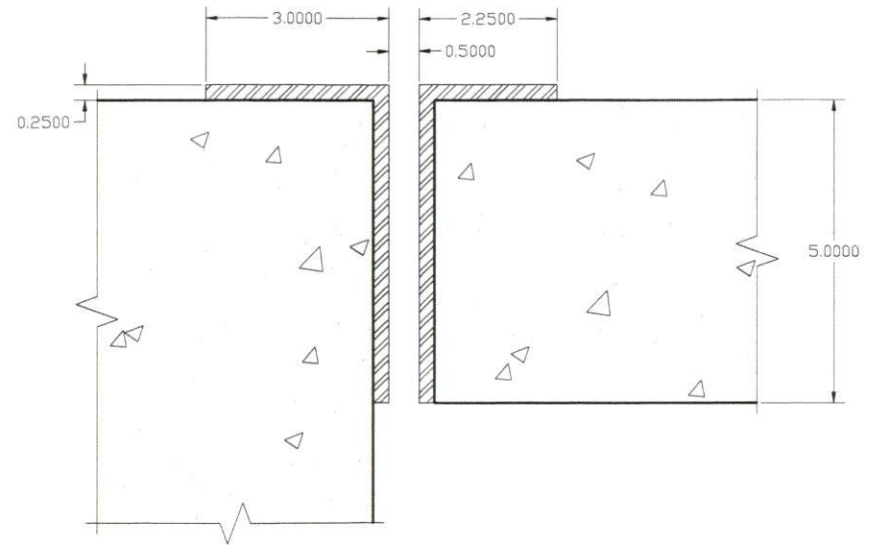
- | | |
|---|--|
| <input type="checkbox"/> Fee Received | <input type="checkbox"/> Sketch of Encroachment Received |
| <input type="checkbox"/> Insurance Received | <input type="checkbox"/> Approved by City Council on |
| <input type="checkbox"/> Insurance Approved by HR | Date: _____ |

Approved by: _____ Date: _____ Permit No: _____

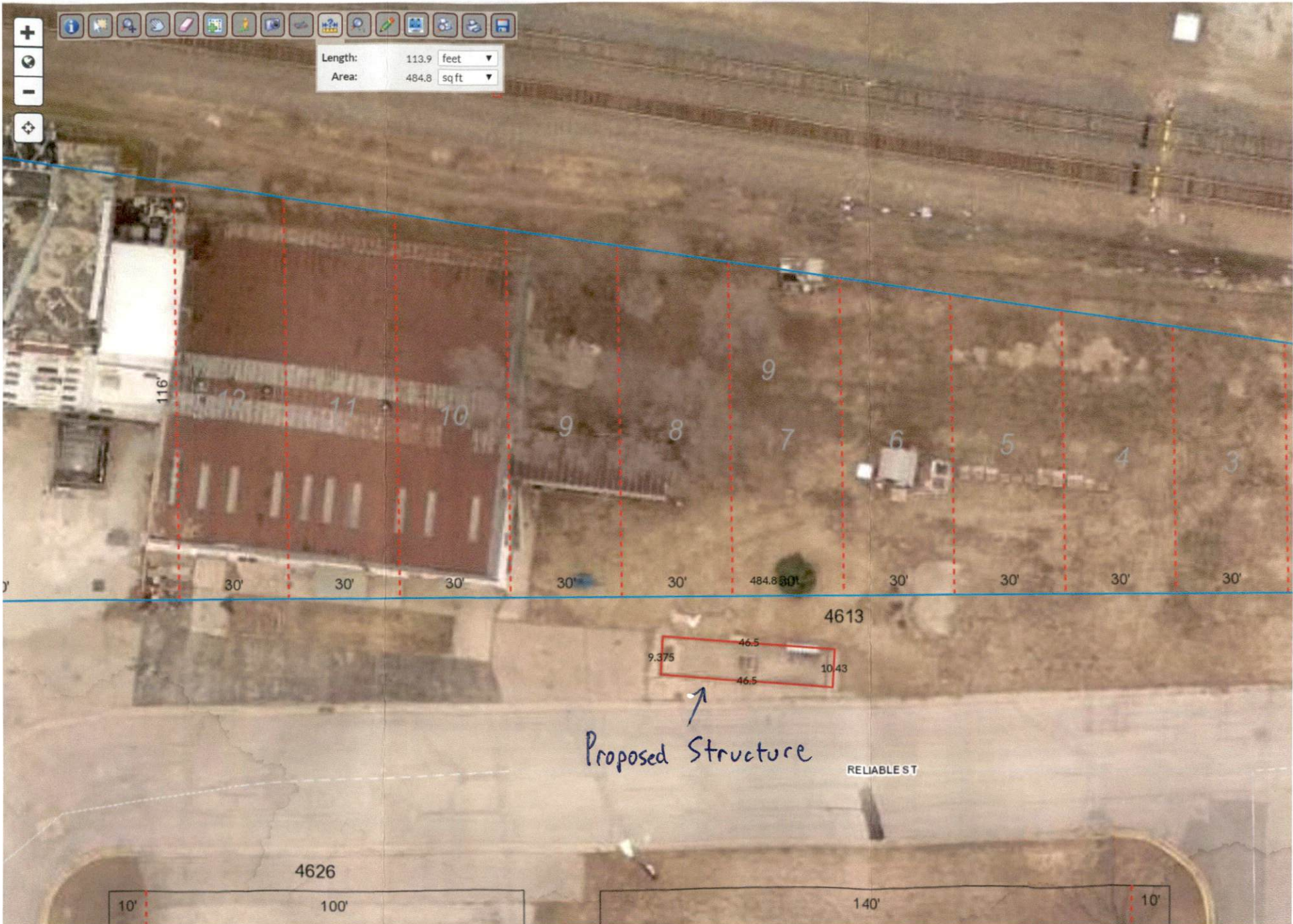




South East Isometric View
3/16" = 1'



Existing Condition
6" = 1'



Length: 113.9 feet
Area: 484.8 sqft

9.375 46.5 10.43 46.5

Proposed Structure

RELIABLE ST

4626

4613

10' 100' 140' 10'

30' 30' 30' 30' 30' 484.8 30' 30' 30' 30'

116'

12 11 10 9 8 7 6 5 4 3