

ITEM # 13  
DATE: 08-09-22

**COUNCIL ACTION FORM**

**SUBJECT: ENCROACHMENT PERMIT FOR PLANTER BOXES OUTSIDE THE BUILDING AT 301 MAIN STREET, SUITE 105**

**BACKGROUND:**

The tenant in the building at 301 Main Street, Suite 105, Life Distilled LLC is seeking approval for three planter boxes outside the building that are 18" X 18" X 24" and would contain seasonal plantings in front of the store.

Chapter 22.3(3) of the *Ames Municipal Code* requires approval of the Encroachment Permit Agreement by the Ames City Council before the Permit can be issued. By signing the Agreement, the applicant and owner agree to hold harmless the City of Ames against any loss or liability as a result of the encroachment, to submit a certificate of liability insurance that protects the City in case of an accident, and to pay the fee for the Encroachment Permit. The applicant and owner also understand that this approval may be revoked at any time by the City Council. The fee for this permit was calculated at \$25, and the full amount has been received by the City Clerk's Office along with the certificate of liability insurance.

**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 planter boxes.

**COUNCIL ACTION:**



For Office Use Only

Documents Received

Date: 7-26-22
X Completed Application
X Certificate of Inspections sent to PW, P&H, Building 8-1-22
Official on
X Review by DRC needed?

ENCROACHMENT PERMIT APPLICATION

An Encroachment Permit approved by the Ames City Council is required for anything of a "fixed character" which is "upon, over or under" the surface of any "street, alley, or sidewalk."

Applicant is: Property Owner Tenant Contractor

Applicant Name: Jennifer Pollard
Address of Encroachment: 301 Main Street, Suite 105
City: Ames State: IA Zip Code: 50010

Fees
Fee Amount: Requested 8.2
Date Fee Paid:

Type of Encroachment: Box planters
(If the encroachment is a sign, please apply for a sign permit through the Inspections Division.)
Total Square Feet of the Area to Encroach: 12 sq. ft.
(See attached submittal guidelines.)

Insurance
X Received 7-20-22
X Approved 7-20-22

Property Owner Name: 301 Main, LLC
Mailing Address: PO Box 1611
City: Ames State: IA Zip Code: 50010-1611
Daytime Phone: 515.598.7525 Cell Phone: 515.509.0370
E-mail: Abigail.Miller@oeiinc.com

Agreement
X Two originals prepared
X Signed agreements returned 8.5.22
Meeting Date 8.9.22
X Added to agenda
X CAF prepared on T Drive

These items must be submitted with your application prior to approval of the permit:

- An Encroachment Permit Agreement approved as to form by the City Attorney and signed by the owner of the building where the encroachment will occur (obtained from the City Clerk's Office).
A sketch of the encroaching item (i.e., sign, canopy, awning, etc.) drawn to scale.
A sketch showing the placement of the encroaching item on the property.
An insurance certificate with comprehensive general liability coverage in an amount of not less than \$500,000 combined single limit naming the City of Ames as an additional insured on the policy. Said certificate must be accompanied with a copy of Endorsement CG 2013.
A fee to be determined by the City's Building Official. The fee is \$1.00 per square foot of the encroachment or a minimum of \$25.00.

Follow Up

- Application approved
Agreement signed by Mayor
Letter prepared and sent to applicant
Clerk's copy of Agreement sent to Recorder
Add to FMS with insurance expiration date

Notes

Applicant's Signature: Jennifer Pollard Date: 7/15/2022

Property Owner's Signature: Abigail Miller Date: 7/24/2022

Submit your completed permit application to: diane.foss@cityofames.org
City of Ames
City Clerk's Office
PO Box 811
Ames, IA 50010

**CERTIFICATE OF INSPECTIONS**  
**New Encroachment Permit**

Please return to the City Clerk's Office by Aug 3, 2022  
City Council Action has been requested on Aug 9, 2022  
Applicant Life Distilled - Jennifer Pollard  
Phone No. 515.450.5001  
Location 301 Main St 105  
Type of Encroachment planter boxes

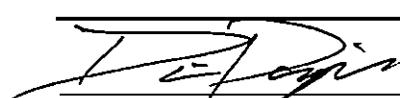
I HEREBY CERTIFY that the location for which the permit will be issued conforms with all zoning regulations of the City of Ames.

N/A       Approved       Approved with the following conditions:

      7.27-22  
Planning Department      Date

I HEREBY CERTIFY no rights-of-way users will be impacted at the location for which the permit will be issued.

N/A       Approved       Approved with the following conditions:

      8/1/2022  
Public Works Department      Date

I HEREBY CERTIFY that the requested encroachment permit has been reviewed.

N/A       Approved       Approved with the following conditions:

      7/27/22  
Building Official      Date

Review by DRC Needed?

Kellogg Ave

Stop sign

east side window



18 in

front windows

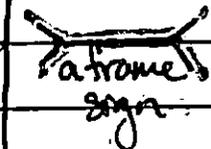
Seasonal small shelf for retail



18 in

front door

front windows



side walk

20 ft - 28 ft.

side walk

side walk

Main Street

301 Main Street Suite 105

Retail Business Life Skilled

