



Legislation Details (With Text)

**File #:** 19-1168      **Version:** 1

**Type:** Ordinance      **Status:** Passed

**File created:** 11/20/2019      **In control:** City Council

**On agenda:** 12/3/2019      **Final action:** 12/3/2019

**Title:** Pass the ordinance approving a right-of-way encroachment agreement for 41 W. Jefferson Avenue #109 (Cinnaholics)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Cinnaholics Blade Sign Ordinance, 2. Exhibit A - Legal Description, 3. Exhibit B - Sign Rendering, 4. Location Map, 5. Sign Permit Application, 6. ROW Encroachment License Agreement

Date	Ver.	Action By	Action	Result
12/3/2019	1	City Council	passed	Pass

**CITY COUNCIL AGENDA ITEM**

**ACTION REQUESTED:**

Pass the ordinance approving a right-of-way encroachment agreement for 41 W. Jefferson Avenue #109 (Cinnaholics)

**DEPARTMENT:** Transportation, Engineering and Development

**SUBMITTED BY:** Erin Venard

**BOARD/COMMISSION REVIEW:**

Not required.

**BACKGROUND:**

The applicant, Karen Dodge with Municipal Resolutions on behalf of Cinnaholics, has submitted an application to permit a blade sign to overhang the public right-of-way of the subject property located at 41 W. Jefferson Avenue #109. The owner of 41 W. Jefferson Avenue is Jefferson & Main, LLC.

**DISCUSSION:**

The petitioner is proposing to install a 1'4" by 1'4" (approximately 1.8 square foot) blade sign that will extend approximately 2' from the west building façade over the public right-of-way adjacent to Main Street. There will be an 8' clearance from the bottom of the sign to the sidewalk, which meets the minimum height clearances necessary for the City's downtown snow removal equipment. Staff has conducted a review of the sign and finds it meets all sign code requirements. Staff is in support of the proposal.

If Council is to approve the encroachment ordinance, staff will release the sign permit, allowing the blade sign to be installed, under the condition that the applicant return a signed right-of-way encroachment agreement to the City within 60 days of the sign permit issuance.

***Proposed Text Amendment***

Several right-of-way encroachment requests, similar to the current request, have been presented to and supported by City Council in the past year. In order to reduce processing time and effort for these requests, staff recommends that a text amendment be prepared to permit the administrative approval of such right-of-way encroachment request, provided that they comply with code requirements and standard agreement parameters. If Council concurs with staff's recommendation, they should direct staff to prepare this amendment; if so directed, staff anticipates that this amendment would be presented to City Council for review in the 1<sup>st</sup> Quarter of 2020.

**FISCAL IMPACT:**

N/A