

EXHIBIT NO. 1

9  
6-15-02

Docket Item # 9  
ENCROACHMENT #2002-0001

Planning Commission Meeting  
June 4, 2002

**ISSUE:** Consideration of a request for encroachment into the public right-of-way for construction of two first floor store fronts.

**APPLICANT:** Rob Kaufman

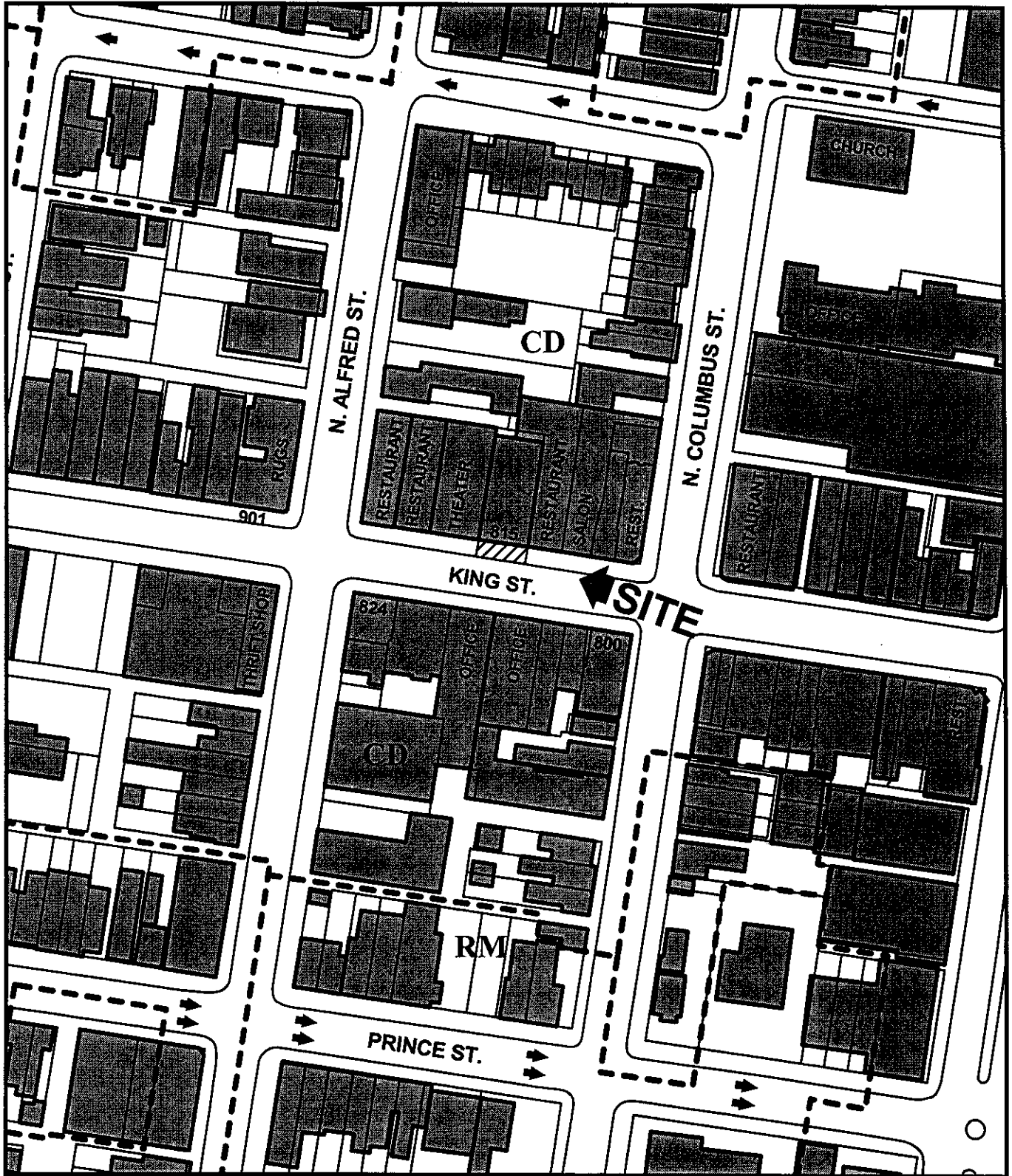
**LOCATION:** 815 King Street

**ZONE:** CD/Commercial Downtown

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**PLANNING COMMISSION ACTION, JUNE 4, 2002:** By unanimous consent, the Planning Commission recommended approval of the request, subject to compliance with all applicable codes, ordinances and staff recommendations.

Reason: The Planning Commission agreed with the staff analysis.



**ENC #2002-0001**

**06/04/02**



STAFF RECOMMENDATION:

Staff recommends approval subject to compliance with all applicable codes and ordinances and the following conditions:

1. The applicant (and his/her successors, if any) must obtain and maintain a policy of general liability insurance in the amount of \$1,000,000, which will indemnify the applicant and the City of Alexandria, as an additional named insured, against all claims, demands, suits, etc., and all costs related thereto, including attorney fees, relating to any bodily injury or property damage which may occur as a result of the granting of this encroachment. (T&ES)
2. In the event the City shall, in the future, have need for the area of the proposed encroachment, the applicant shall remove any structure or projection that encroaches into the public right-of-way, within 60 days, upon notification by the City. (TES)
3. This encroachment permit is only valid if the Board of Architectural Review application for the proposed storefronts (currently listed as BAR#2002-00083) is approved. (P&Z)

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Staff Note: For commercial properties, the applicant and/or his successors are responsible for payment of an annual charge for such encroachment pursuant to Section 3-2-85 of the City Code.

DISCUSSION:

1. The applicant, Rob Kaufman, requests approval of an encroachment permit to extend the first floor storefront of 815 King Street into the public right-of-way.
2. The subject property is one lot of record that is 42 feet wide and 100 feet deep. A six story commercial building with two ground floor retail spaces occupies the lot. The building is currently vacant except for a restaurant the utilizes one of the two ground floor retail spaces. Adjacent buildings house a theater and restaurant. Commercial and office uses line King street to the east and west. Residential mixes with commercial and office uses to the north and south.
3. The applicant requests approval to alter the storefronts of the two ground floor retail spaces. Plans of the proposed storefronts are attached.
4. The area of encroachment is 42.56 feet long x 1.67 feet deep and is 71.075 square feet. Plans of the encroachment area are attached.
5. Approximately nine feet of clear sidewalk remain after the addition of the proposed storefronts. The area of sidewalk measured is the area between the edge of an existing tree well and the point at which the proposed storefront will begin. The tree well mentioned here is one among several street features, including a garbage can, light poles, and parking meters, located in front of the subject building. The tree well is the feature that stands closest to the subject building and so provides the point from which one can measure the shortest distance to the proposed building wall.
6. The subject property is located within the Old and Historic Alexandria District, and the applicant has submitted the storefront design, along with other exterior building renovations, for review and approval by the Board of Architectural Review. This application (BAR #2002-00083) was heard at public hearing on May 15, 2002. The Board deferred the application until their June 5, 2002 hearing, to allow for further study of the proposed roof-line elements. Plans showing the proposed renovations, specifically the first floor storefront design, have been copied from the BAR application and are attached here.
7. The proposed alterations included in the subject encroachment application and the BAR application described above are part of the applicant's plan to reuse the building. The applicant, Mr. Kaufman, is the contract purchaser for the subject building. Mr. Kaufman intends to keep the ground floor retail and is currently exploring the possibility of rehabilitating the rest of the building for residential use.

8. Master Plan/Zoning: The subject property is zoned CD (Commercial Downtown), and is included in the Old Town Small Area Plan.

STAFF ANALYSIS:

Staff supports the proposed encroachment application and recommends approval subject to staff's proposed conditions. The encroachment will not obstruct pedestrian use of the public sidewalk. Approximately nine feet of the public right-of-way will remain for pedestrian use after the encroaching structures are built. Additionally, the proposed storefronts will improve the appearance of the building. Staff has also included a condition that makes approval of the subject encroachment application contingent on approval of the related BAR application.

STAFF: Eileen P. Fogarty, Director, Department of Planning and Zoning;  
Barbara Ross, Deputy Director;  
Mary Hashemi, Urban Planner.

CITY DEPARTMENT COMMENTS

Legend: C - code requirement R - recommendation S - suggestion F - finding

Transportation & Environmental Services:

- F-1 The proposed encroachment will not unduly obstruct the pedestrian pathway.
- R-1 The applicant (and his/her successors, if any) must obtain and maintain a policy of general liability insurance in the amount of \$1,000,000, which will indemnify the applicant and the City of Alexandria, as an additional named insured, against all claims, demands, suits, etc., and all costs related thereto, including attorney fees, relating to any bodily injury or property damage which may occur as a result of the granting of this encroachment.

Code Enforcement:

- C-1 Alterations to the existing structure must comply with the current edition of the Uniform Statewide Building Code (USBC).
- C-2 A fire prevention code permit is required for the proposed operation. An egress plan showing fixture location, aisles and exit doors shall be submitted for review with the permit application.
- C-3 Alterations to the existing structure and/or installation and/or altering of equipment therein requires a building permit. Four sets of plans, bearing the signature and seal of a design professional registered in the Commonwealth of Virginia, must accompany the written application. The plans must include all dimensions, construction alterations details, kitchen equipment, electrical, plumbing and mechanical layouts and schematics.
- C-4 This structure contains mixed use groups and is subject to the mixed use and occupancy requirements us USBC^[313.0.
- C-5 Required exits, parking an facilities shall be accessible to persons with disabilities.

- C-6 The following code requirements apply where food preparation results in the development of grease laden vapors:
- (a) All cooking surfaces, kitchen exhaust systems, grease removal devices and hoods are required to be protected with an approved automatic fire suppression system.
  - (b) A grease interceptor is required where there is drainage from fixtures and equipment with grease-laden waste located in food preparation areas of restaurants. Food waste grinders can not discharge to the building drainage system through a grease interceptor.
- C-7 A rodent control plan shall be submitted to this office for review and approval prior to occupancy. This plan shall consist of the following:
- (a) Measures to be taken to control the placement of litter on-site and the trash storage and pickup schedule.
  - (b) How food stuffs will be stored on-site.
  - (c) Rodent baiting plan.

Health Department:

F-1 No comments.

Police Department:

F-1 No objections.

MVH

# APPLICATION for ENCROACHMENT

ENC # 2002-0001

[must use black ink or type]

PROPERTY LOCATION: 815 KING STREET

TAX MAP REFERENCE: 074.02.0104 ZONE: CD

APPLICANT'S NAME: ROB KAUFMAN

ADDRESS: 101 N. COLUMBUS ST SUITE 400

PROPERTY OWNER NAME: ROB KAUFMAN (CONTRACT PURCHASER)

ADDRESS: SAME

ENCROACHMENT DESCRIPTION: TO CONSTRUCT 2 MAIN FLOOR

STOREFRONTS SIMILAR TO THE ONES ORIGINALLY BUILT

INSURANCE CARRIER (copy attached) CV POLICY # \_\_\_\_\_

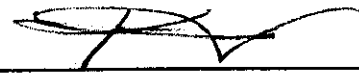
A certificate of general liability insurance in the amount of \$1,000,000 which will indemnify the owner and names the city as an additional insured must be attached to this application.

THE UNDERSIGNED hereby applies for an Encroachment Ordinance in accordance with the provisions of Section 8-1-16 and Sections 3-2-82 and 85 of the Code of the City of Alexandria, Virginia.

THE UNDERSIGNED, having obtained permission from the property owner, hereby grants permission to the City of Alexandria to post placard notice on the property for which this application is requested, pursuant to Article XI, Section 11-301 (B) of the 1992 Zoning Ordinance of the City of Alexandria, Virginia.

THE UNDERSIGNED also attests that all of the information herein provided and specifically including all surveys, drawings, etc., required of the applicant are true, correct and accurate to the best of their knowledge and belief.

ROB KAUFMAN  
Print Name of Applicant or Agent  
SUITE 400  
101 N. COLUMBUS ST  
Mailing/Street Address

  
Signature  
5481810 6830295  
Telephone # Fax #

ALEX VA 22314  
City and State Zip Code

3.23.02  
Date

=====**DO NOT WRITE BELOW THIS LINE - OFFICE USE ONLY**=====

Application Received: \_\_\_\_\_ Date & Fee Paid: \_\_\_\_\_ \$ \_\_\_\_\_

ACTION - PLANNING COMMISSION: \_\_\_\_\_

ACTION - CITY COUNCIL: \_\_\_\_\_





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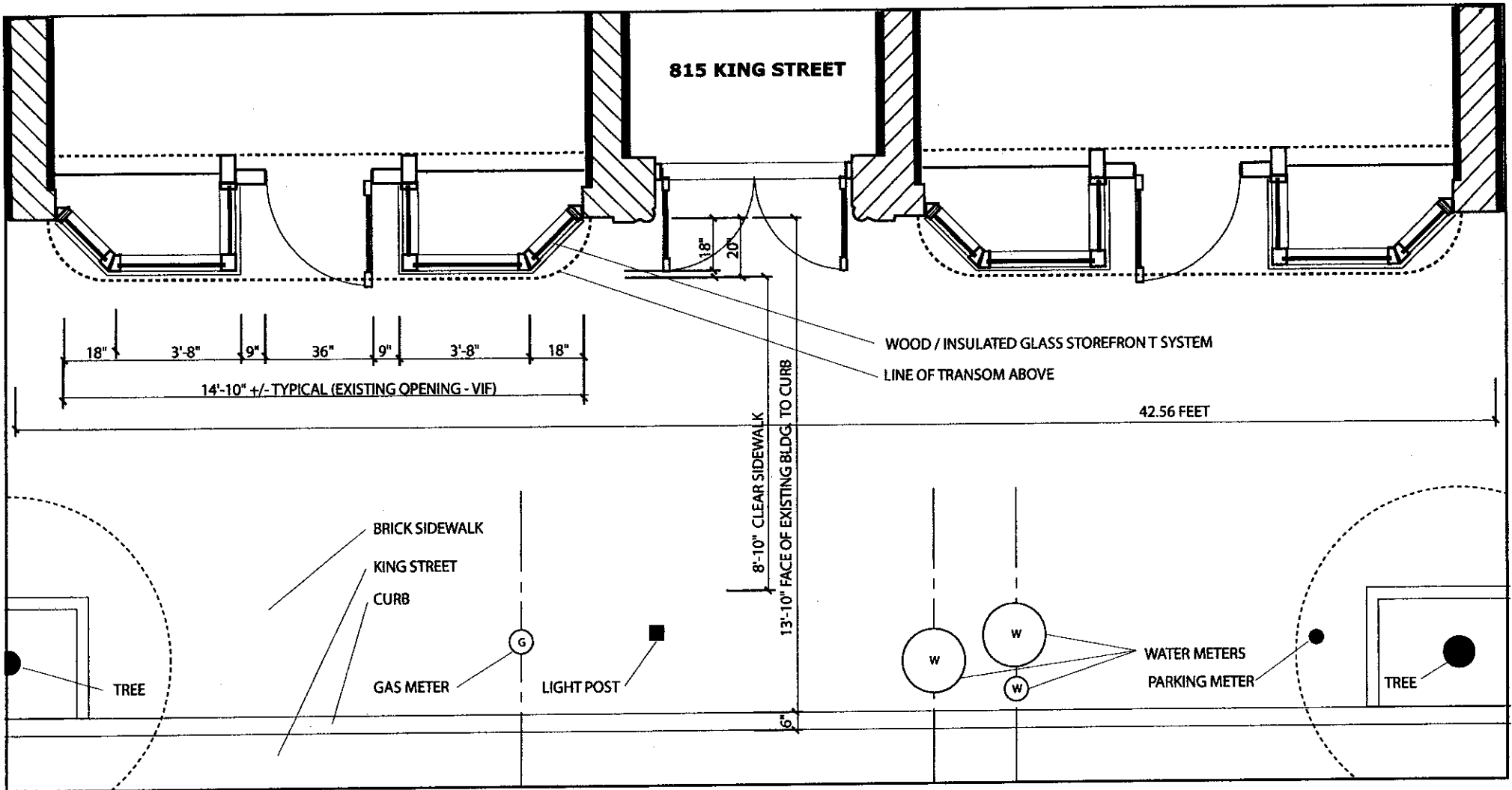
DATE  
4/1/02

SET  
BAR

SHEET  
**A1**  
ELEVATIONS

PROJECT  
**RENOVATIONS TO 815 KING ST.  
ALEXANDRIA, VIRGINIA 22314**  
ROBERT J. KAUFMAN  
703-548-1810

PLAN FROM BAR APPLICATION.



**PARTIAL SITE PLAN**

1/4" = 1'-0"

10

**RENOVATIONS TO 815 KING ST.  
ALEXANDRIA, VIRGINIA 22314**

ROBERT J. KAUFMAN  
703-548-1810

**PROJECT**

**E1**

**SHEET**

**ENCROACHMENT**

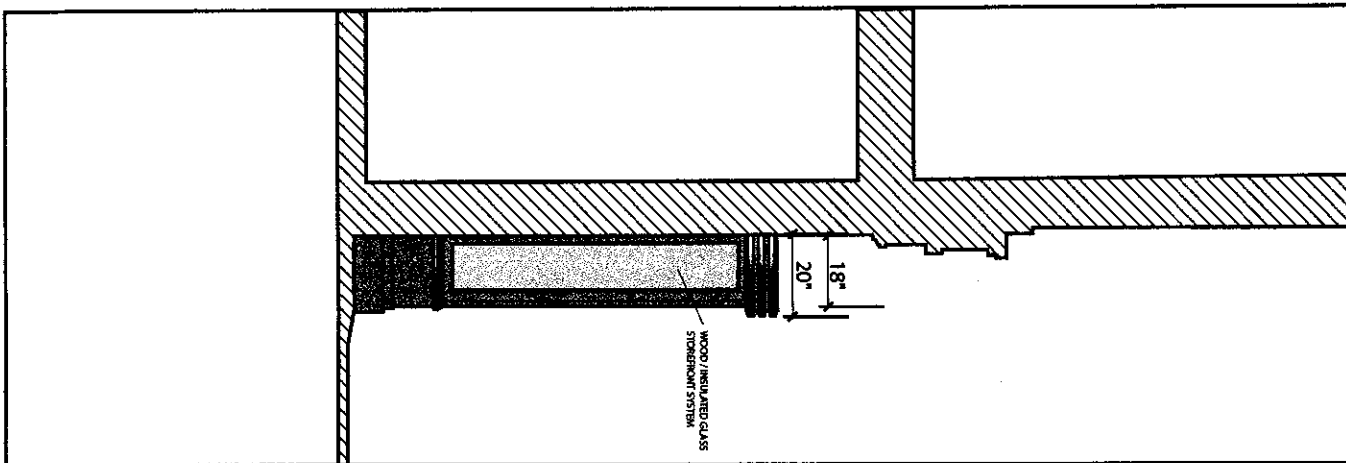
**SET**

**3/26/02**

**DATE**

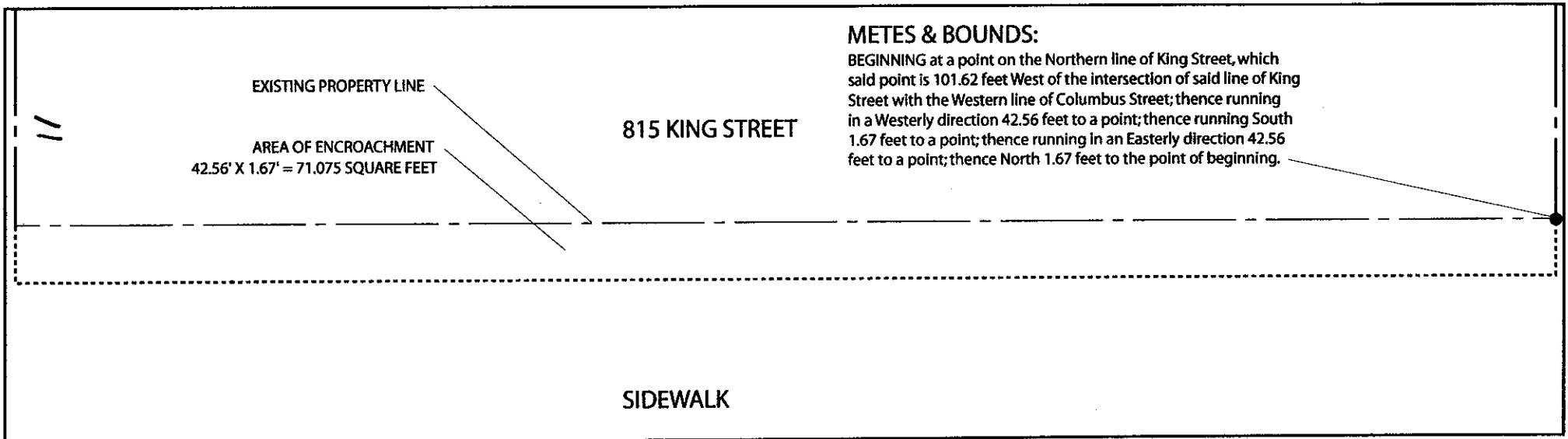
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*ENC. 2002-0001*



**SIDE ELEVATION**

1/4" = 1'-0"



**METES & BOUNDS:**

BEGINNING at a point on the Northern line of King Street, which said point is 101.62 feet West of the intersection of said line of King Street with the Western line of Columbus Street; thence running in a Westerly direction 42.56 feet to a point; thence running South 1.67 feet to a point; thence running in an Easterly direction 42.56 feet to a point; thence North 1.67 feet to the point of beginning.

**ENCROACHMENT DESCRIPTION**

1/4" = 1'-0"

**RENOVATIONS TO 815 KING ST.  
ALEXANDRIA, VIRGINIA 22314**

ROBERT J. KAUFMAN  
703-548-1810

**PROJECT**

**E2**

**SHEET**

**ENCROACHMENT**

**SET**

3/26/02

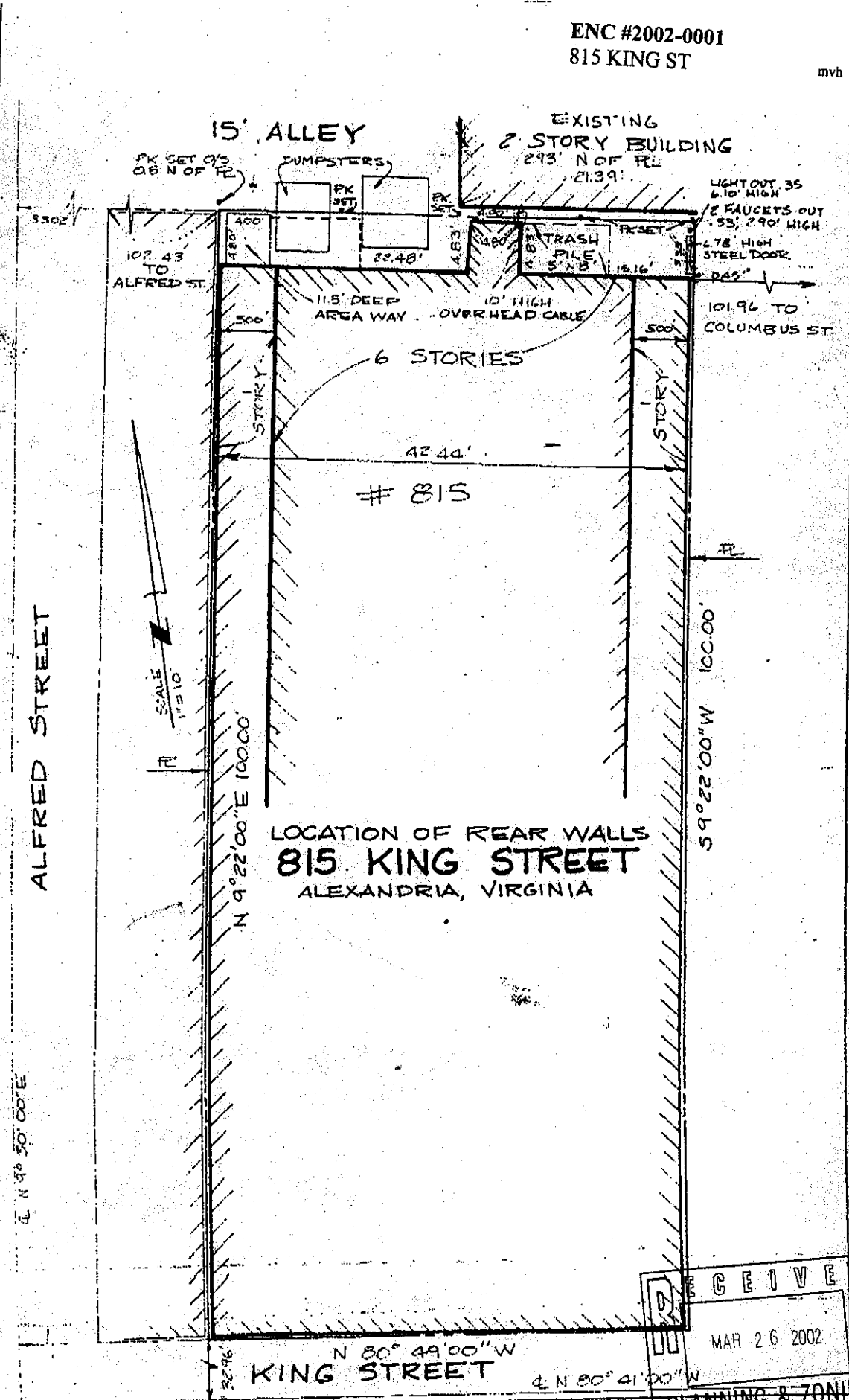
**DATE**

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*ENC. 2002-0001*

ENC #2002-0001  
815 KING ST

mvh



RECEIVED  
MAR 26 2002  
PLANNING & ZONING

CERTIFIED CORRECT  
*Edward S. Holland*  
August 4, 1981

Holland Engineering  
Professional Civil Engineer  
Certified Land Surveyor  
110 N. Royal Street  
ALEXANDRIA, VA

DATE	8/4/81	761	DRAWN BY M.P.
			CAD BY ..
			BLK & NO -
			JOB NO 201222

NVH

9

# APPLICATION for ENCROACHMENT

ENC # 2002-0001

OLD TOWN  
THE PARK

[must use black ink or type]

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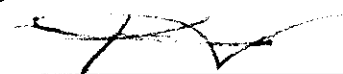
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Date

=====**DO NOT WRITE BELOW THIS LINE - OFFICE USE ONLY**=====

Application Received: \_\_\_\_\_ Date & Fee Paid: \_\_\_\_\_ \$ \_\_\_\_\_

ACTION - PLANNING COMMISSION: 6/04/02 RECOMMEND APPROVAL UC

ACTION - CITY COUNCIL: 6/15/02PH-- CC approved the Planning Commission recommendation.