

Docket Item # 5
ENCROACHMENT #2003-0003
CROWN STATION-JEFFERSON DAVIS HIGHWAY

Planning Commission Meeting
December 2, 2003

ISSUE: Consideration of a request to install three site lights within the public right-of-way.

APPLICANT: Crown Central Petroleum Corporation
By R. A. Fritz

LOCATION: 3216 Jefferson Davis Highway

ZONE: CSL/ Commercial Service Low

STAFF ANALYSIS:

The applicant requests approval of an encroachment request for three light poles to be located within the public right-of-way adjacent to Jefferson Davis Highway. The property is zoned CSL commercial service low and is the site of the existing Crown Service Station. The encroachment is sought in conjunction with an application for special use permit extension (DSUP#2003-0038) to renovate the gas station, including the construction of a larger kiosk for use as a small convenience store. Staff is recommending approval of the proposed development special use permit extension, as discussed in more detail in the accompanying staff report. Staff is also recommending approval of the proposed encroachment.

The proposed light poles would be installed within the landscape buffer adjacent to Jefferson Davis Highway and would illuminate two existing curbcuts. The proposed light poles measure 16 feet in height and have two light fixtures each.

Staff supports the proposed encroachment into the public right-of-way for a number of reasons. The proposed lighting will not negatively impact the landscape screening which provides an essential buffer between service station and Jefferson Davis Highway. The proposed light poles are unobtrusive and could easily be removed or relocated if future street or sidewalk improvements on Jefferson Davis Highway are necessary.

STAFF RECOMMENDATION:

Staff recommends **approval** of the proposed development special use permit application with the conditions outlined within the staff report.

STAFF: Eileen Fogarty, Director, Department of Planning and Zoning;
Jeffrey Farner, Division Chief, Development;
Rasheda DuPree, Urban Planner.

STAFF RECOMMENDATION:

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

1. Installation of the proposed lighting shall be coordinated with final development plan (DSP#2003-0038) lighting and landscape design and to the satisfaction of the Directors of T&ES and Planning and Zoning. (T&ES)
2. The applicant (and his or her successors) shall obtain and maintain a policy of general liability insurance in the amount of \$1,000,000, which will indemnify the applicant (and his or her successors, if any) 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 bodily injury or property damage, which may occur as a result of the granting of the encroachment. (P&Z)(T&ES)
3. Neither the City nor any private utility company will be held responsible for damage to the private improvements in the public right-of-way during repair, maintenance or replacement of any utilities that may be located within the area of the proposed encroachment. (P&Z)
4. In the event the City shall in the future have need for the area of the proposed encroachments, the property owner shall remove any structure or projection that encroaches into the public right-of-way within sixty (60) days upon notification by the City of Alexandria. (P&Z)(T&ES)
5. Approval shall be contingent upon the approval of DSUP# 2003-0038. (P&Z)

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.

CITY DEPARTMENT COMMENTS

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

Transportation & Environmental Services:

- F-1 T&ES is currently reviewing a Development Site Plan (DSP #2001-0015) for renovations to the existing service station facility.
- F-2 T&ES has no objections to the applicant request to install three pole mounted light fixtures on the adjacent public right-of-way.

Code Enforcement

- F-1 No Comments.

Police Department

- F-1 No objections.

Recreation, Parks, and Cultural Activities (RP&CA)

- F-1. No Comments.

Virginia American Water Company

- F-1 No Comments.

Real Estate Assessments

- F-1. No Comments.