

Docket Item #6
ENCROACHMENT #2006-0004

Planning Commission Meeting
October 3, 2006

ISSUE: Consideration of a request for encroachment into the public right-of-way for a marquee.

APPLICANT: Kimpton Hotels and Restaurants
by Ken Reynolds

LOCATION: 480 King Street

ZONE: KR/King Street Urban Retail Zone

STAFF RECOMMENDATION: Staff recommends **approval** subject to compliance with all applicable codes and ordinances and the recommended permit conditions found in Section III of this report.

ENC #2006-0004
480 King Street

**SITE GRAPHIC
AVAILABLE IN PLANNING AND ZONING**

I. DISCUSSION

REQUEST

The applicant, Kimpton Hotels and Restaurants, requests an encroachment at 480 King Street.

SITE DESCRIPTION

The Kimpton Hotel (Holiday Inn) is a six story brick commercial building which occupies the south side of the 400 block of King Street. It was constructed as part of the City's Urban Renewal Program in 1975. The Hotel was approved under SUP #931, granted on September 25, 1973.



BACKGROUND

An encroachment application for the existing entrance canopy at the former Holiday Inn was approved on June 13, 1992 (ENC #92-0002). The canopy encroaches approximately 16 feet six inches into the public right-of-way, and covers about 187 square feet of the sidewalk. On October 19, 2002, City Council approved ENC#2002-0005 to relocate the canopy 28 feet to the west to accommodate a reconfiguration of the interior space.

PROPOSAL

The applicant proposes a new marquee canopy that measures approximately 31' in length, 5'8" in height, and extends approximately 8'2" into the right-of-way (see attached drawing). The applicant requests approval of an encroachment to accommodate the new marquee. The canopy is 10 feet above the sidewalk, with support rods fastened to the building above the marquee. There are no pedestrian obstructions below the marquee, and there is seven feet between the edge of the marquee to the nearest treewell. The canopy will be indirectly lit with recessed lighting and downlighting, and have a black background and metallic gold borders. The Board of Architectural Review approved the marquee, and other exterior renovations, on September 6, 2006.

ZONING/MASTER PLAN DESIGNATION

The subject property is zoned KR/King Street Urban Retail, and is located in the Old Town Small Area Plan.

II. STAFF ANALYSIS

Staff does not object to the new marquee. The canopy does not obstruct pedestrian traffic as it is located 10 feet above the sidewalk, and does not have any supporting materials located below it. The projection into the right-of-way of the proposed encroachment is less than the existing canopy. The

marquee is part of an extensive renovation plan for the hotel which staff supports, and has been approved by the Board of Architectural Review.

Staff recommends approval.

III. RECOMMENDED PERMIT CONDITIONS

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 his/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 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. (P&Z)

STAFF: Richard Josephson, Acting Director, Department of Planning and Zoning;
Valerie Peterson, Urban Planner.

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:

- 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 his/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 any bodily injury or property damage which may occur as a result of the granting of this encroachment. (T&ES)

Code Enforcement:

- C-1 Canopies must comply with USBC 3202 for support and clearance from the sidewalk, and the applicable sections of USBC's Chapter 11. The horizontal portions of the framework must not be less than 8 feet nor more than 12 feet above the sidewalk.
- C-2 Awnings must comply with all applicable requirements of USBC 3105 and 3202. Fixed awnings must have a minimum 7 foot clearance from a sidewalk to the lowest part of the framework is required.
- C-3 Fixed awnings must be designed and constructed to withstand wind or other lateral loads and live loads required by the USBC. Structural members must be protected to prevent deterioration (USBC 3105.2).
- C-4 New construction must comply with the current edition of the Uniform Statewide Building Code (USBC).
- C-5 Alterations to the existing structure must comply with the current edition of the Uniform Statewide Building Code (USBC).
- C-6 Construction permits are required for this project. Plans shall accompany the permit application that fully detail the construction as well as layouts and schematics of the mechanical, electrical, and plumbing systems.

Health Department:

F-1 No comments.

Police Department:

No comments.

Real Estate:

F-1 No Comment

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**REPORT ATTACHMENTS
AVAILABLE IN THE PLANNING AND ZONING OFFICE**