

Docket Item #20
ENCROACHMENT #2007-0005

Planning Commission Meeting
September 6, 2007

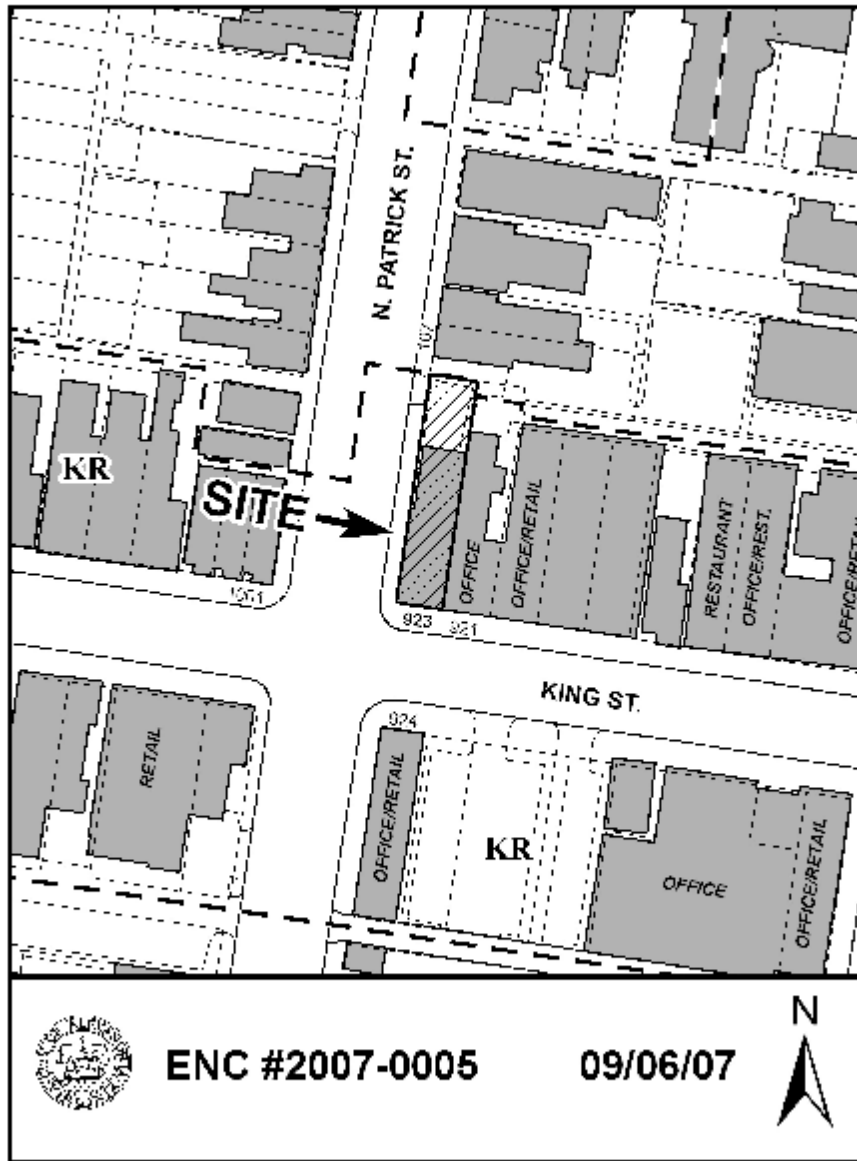
ISSUE: Consideration of a request for encroachment into the public right-of-way for a brick veneer wall.

APPLICANT: Allen Ramazon

STAFF: Richard W. Bray
Richard.bray@alexandriava.gov

LOCATION: 923 King Street

ZONE: KR/King Street Urban Retail



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09/06/07



I. DISCUSSION

REQUEST

The applicant, Allen Ramazon, requests approval of an encroachment into the public right-of-way for the addition of a brick veneer to an existing wall at 923 King Street.

SITE DESCRIPTION

The subject property is one lot of record with 25 feet of frontage on King Street, 120 feet of depth and 3,000 square feet of lot area. The building is currently being renovated to accommodate a 1950's era soda fountain style restaurant, approved on October 14, 2006 (SUP#2006-0075). The surrounding area is occupied by a mix of retail, restaurant, residential, personal service, and office uses. Immediately to the north is a residential use. To the south is a dayspa, Bella Cara. To the east and west are Sackville Galleries and O'Keefe and Company's Marketing Offices, respectively.



PROJECT DESCRIPTION

The applicant requests approval of an encroachment to install a brick veneer on the existing block wall that faces west and fronts on North Patrick Street. The proposed veneer will encroach five inches into the right of way for a length of 31.51 feet for a total encroachment of 12.9 square feet. The brick veneer was approved by the Board of Architectural Review in case BAR2007-00016. The veneer will make the rear section of wall flush with the front half of the historic building which currently encroaches upon the right of way.

ZONING/MASTER PLAN

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

II. STAFF ANALYSIS

Staff supports the proposed encroachment. At less than five inches, the encroachment upon the public right of way is negligible and will preserve the historic look of one of Alexandria's oldest buildings. The proposed encroachment does not interfere with the sidewalk along North Patrick Street.

Staff recommends approval of the encroachment subject to the following conditions.

III. STAFF RECOMMENDATION

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

1. The applicant (and his or her successors, if any) 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 any bodily injury or property damage which may occur as a result of the granting of this encroachment. (P&Z) (City Atty)
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. (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. (T&ES)

STAFF: Richard Josephson, Deputy Director, Department of Planning and Zoning;
Richard Bray, 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.
- R-2 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.
- R-3 In the event the City shall, in the future, have need for the area of the proposed encroachment, the applicant shall remove any fence or structure that encroached into the public right-of-way, within 60 days, upon notification by the City.
- F-1 The proposed encroachment does not interfere with the sidewalk along North Patrick Street.

Code Enforcement:

- F-1 No comment.

Health Department:

- F-1 No comment.

Police Department:

- F-1 The Police Department has no objections to the encroachment of a brick veneer wall.

Parks & Recreation:

- F-1 No comment.

Real Estate:

- F-1 No comment.

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