C: Dir., Department of Public Works

City of NORFOLK

To the Honorable Council
City of Norfolk, Virginia

April 12, 2016

From: David Ricks, Director of Public Works

Subject: Encroach into the right-of-way of at 417 W. 21st Street with signage

Reviewed: Ronald H. Williams, Jr., Deputy City Manager

Ward/Superward: 2/6

Approved: Marcus D. Jones, City Manager

Item Number: **R-17**

I. **Recommendation:** Adopt Ordinance

II. **Applicant:** **Prakoon, LLC**
419 W. 21st Street
Norfolk, Virginia 23517

III. **Description:**
This agenda item is an ordinance permitting Prakoon, LLC to encroach into the City of Norfolk's (the "city's") right-of-way at 417 W. 21st Street with signage.

IV. **Analysis:**
The encroachment in this location will allow Prakoon, LLC, d/b/a Bangkok Garden, to install a sign to identify their business.

V. **Financial Impact:**
Liability insurance has been provided naming the city as additional insured in the amount of $1,000,000; therefore, there should be no financial risk to the city. The city did not charge a fee for this encroachment.

VI. **Environmental:**
N/A

VII. **Community Outreach/Notification:**
Public notification for this agenda item was conducted through the city's agenda notification process.

810 Union Street #1101 ▪ Norfolk, Virginia 23510
Phone: 757-664-4242 ▪ Fax: 757-664-4239

VIII. Board/Commission Action:

The Department of Public Works, the Department of Planning & Community Development, and the City Attorney's Office has reviewed this request for encroachment and offer no objections. The encroachment was reviewed and recommended by the Norfolk Design Review Committee and the City Planning Commission.

IX. Coordination/Outreach:

This letter and ordinance have been coordinated with Department of Public Works and the City Attorney's Office.

Supporting Material from the Department of Public Works:

- Ordinance
- Exhibit A

3/25/2016 - wld

Form and Correctness Approved:

By _____
Office of the City Attorney

Contents Approved:

By _____
DEPT. Public Works

NORFOLK, VIRGINIA

ORDINANCE No.

AN ORDINANCE PERMITTING PRAKOON, LLC TO ENCROACH INTO THE RIGHT-OF-WAY AT 417 W. 21ST STREET WITH SIGNAGE.

- - -

BE IT ORDAINED by the Council of the City of Norfolk:

Section 1:- That permission is hereby granted to Prakoon, LLC ("Prakoon") to encroach into the right-of-way at 417 W. 21st Street with signage, as shown on Exhibit A attached hereto. Such permission being further subject to the following conditions:

(1) That this permission is expressly subject to the right of revocation by the Council and that in the event of such revocation, Prakoon, or their successors and assigns, shall immediately remove the encroaching structures.

(2) That upon the removal of the encroaching structures or any part thereof, the authority hereby granted shall cease and terminate.

(3) That Prakoon, or their successors and assigns, at their own cost and expense, shall take out and keep in full force and effect during the term of the encroachment general liability insurance with a company authorized to do business in the Commonwealth of Virginia, insuring and naming the City of Norfolk ("City") as an additional insured in the amount of at least $1,000,000.00 each occurrence and $2,000,000.00 general aggregate against liability from claims, actions and suits that may be asserted or brought against the City and/or Prakoon, and their successors and assigns, for any injury to, or death of any person or persons, or for any damage to, or destruction of property resulting from the installation, maintenance, or existence of said encroaching structures, with evidence of such insurance being provided to the City.

(4) That the City shall not be responsible for any damage to the encroaching structures, including replacement and reinstallation costs, resulting from the City's operation, maintenance, repair, or replacement of any utilities located in the right-of-way at the property address of 417 W. 21st Street.

Section 2:- That the failure of Prakoon, or their successors and assigns, to fully comply with all requirements and conditions set forth herein shall act as an automatic revocation of the permission granted hereby.

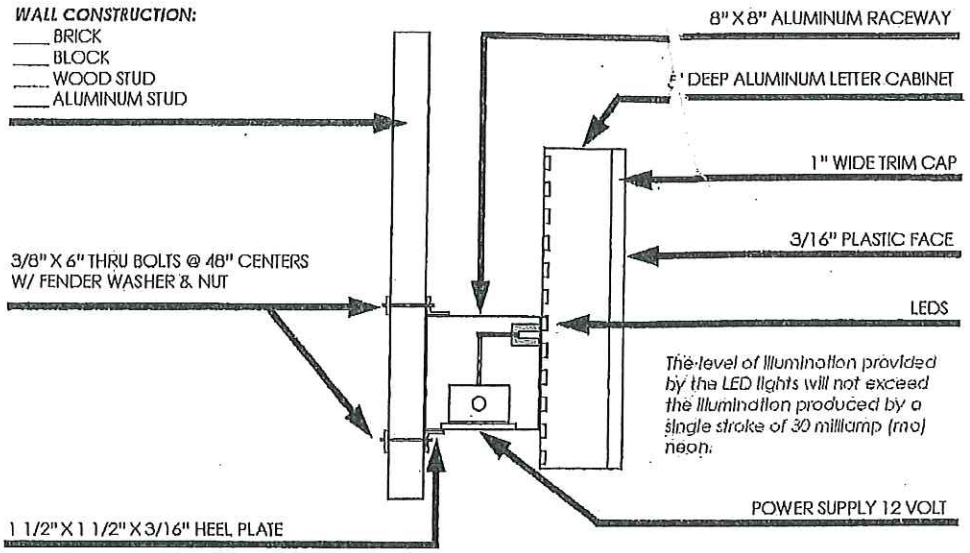
Section 3:- That the use of the said encroaching structures shall be deemed an acceptance by Prakoon, and its successors and assigns, of all conditions to which the permissions herein are granted.

Section 4:- That this ordinance shall be in effect from and after its adoption.

EXHIBIT A TO ORDINANCE

JOB NAME & ADDRESS:

BANGKOK GARDEN



PROPERTY of Cardinal

2629 Dean Drive, Virginia Beach, VA 23452
757-486-3412 • 757-486-7658-fax
cpickrell@cardinalsign.com

MOUNTING DETAIL
(raceway/THRU-BOLT/ LEDS)

APPROVAL SUBJECT TO FIELD INSPECTION
This set of approved plans shall be kept at the construction site for the inspector's reference
DEPARTMENT OF CITY PLANNING AND CODES ADMINISTRATION
Division of Plan Construction DRAWINGS APPROVED AS NOTED
Plan Review Engineer

PROPERTY OF

Cardinal
SIGN CORPORATION

2629 Dean Drive
Virginia Beach, Va. 23452

Phone:
(757) 486-3412

Fax:
(757) 486-7658

E-Mail:
SSTOLLINGS@
CARDINALSIGN.COM

Client:
Bangkok
Garden

Sign Location:
417 W. 21st St
Norfolk

Design No.:
25322

Designer:
zh

Salesman:
Stan Stollings

Scale:
3/4"=1'-0"

Date:
12-10-14

Customer Approval:

Ⓐ

95.5"
80"

16.5"

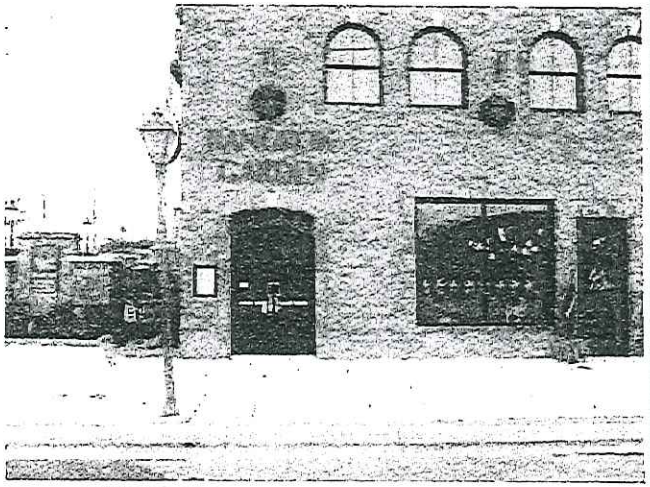
40.75"

BANGKOK GARDEN

Ⓐ LED CHANNEL LETTERS ON RACEWAY

Zoning approved subject to field inspection
Inspect: Zoning
Date: 2-2-15 Plate

APPROVAL SUBJECT TO FIELD INSPECTION
This set of approved plans shall be kept at the construction site for the inspector's reference
DEPARTMENT OF CITY PLANNING
AND CODES ADMINISTRATION
Division of New Construction
DRAWINGS
APPROVED AS NOTED
Plan Review Engineer



40.75" x 95.5" = 27 ft
52' Frontage.