C: Dir., Public Works

City of NORFOLK

To the Honorable Council
City of Norfolk, Virginia

June 24, 2014

From: John M. Keifer, Director of Public Works

Subject: Encroach into W. Plume Street and Randolph Street right-of-way at 100 W. Plume Street.

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

Ward/Superward: 2/6

Approved: Marcus D. Jones, City Manager

Item Number: R-5

I. **Recommendation:** Adopt Ordinance

II. **Applicant:** Seaboard Building, L.L.C.
100 W. Plume Street
Norfolk, Virginia 23510

III. **Description**

This agenda item is an ordinance permitting Seaboard Building, L.L.C. to encroach into W. Plume Street and Randolph Street right-of-way at 100 W. Plume Street with an existing canopy, roof cornices and awnings.

IV. **Analysis**

An encroachment is an object or structure that infringes into the City of Norfolk's right-of-way or property. Norfolk City Code, Section 42-10, requires all encroachments into the right-of-way to be approved by City Council. The encroachment in this location will allow Seaboard Building, L.L.C. to keep the existing canopy, roof cornices and awnings that are presently encroaching into right-of-way at 100 W. Plume Street.

V. **Financial Impact**

Liability insurance has been provided naming the City of Norfolk as additional insured in the amount of $500,000; therefore, there should be no financial risk to the City. The City of Norfolk did not charge a fee for this encroachment.

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

VI. Environmental

There is no negative environmental impact associated with this action.

VII. Community Outreach/Notification

Public notification for this agenda item was conducted through the City of Norfolk's agenda notification process.

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 has been coordinated with Department of Public Works, the Department of Planning & Community Development, and the City Attorney's Office.

Supporting Material from the Department of Public Works:

- Ordinance
- Exhibit A (2 sheets)

05/05/2014mr

Form and Correctness Approved: RAV

By _____
Office of the City Attorney

Contents Approved:

By _____
DEPT.

NORFOLK, VIRGINIA

ORDINANCE No.

AN ORDINANCE PERMITTING SEABOARD BUILDING, L.L.C. TO ENCROACH INTO W. PLUME STREET AND RANDOLPH STREET RIGHTS OF WAY AT 100 W. PLUME STREET WITH EXISTING CANOPY, ROOF CORNICES AND AWNINGS.

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

Section 1:- That permission is hereby granted to Seaboard Building, L.L.C. (hereinafter known as "Owner") to encroach into W. Plume Street and Randolph Street rights of way at 100 W. Plume Street with existing canopy, roof cornices, and awnings, 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 Owner, or its 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 Owner, or its successors and assigns, at its own cost and expense, shall take out and keep in full force and effect public liability insurance in some company authorized to do business in the Commonwealth of Virginia, insuring it and naming the City of Norfolk as an additional insured in the minimum amount of $500,000.00 against liability from any and all claims, actions and suits that may be asserted or brought against the City of Norfolk and/or Owner, and its 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; that evidence of such insurance shall be filed with the Director of Risk Management of the City of Norfolk.

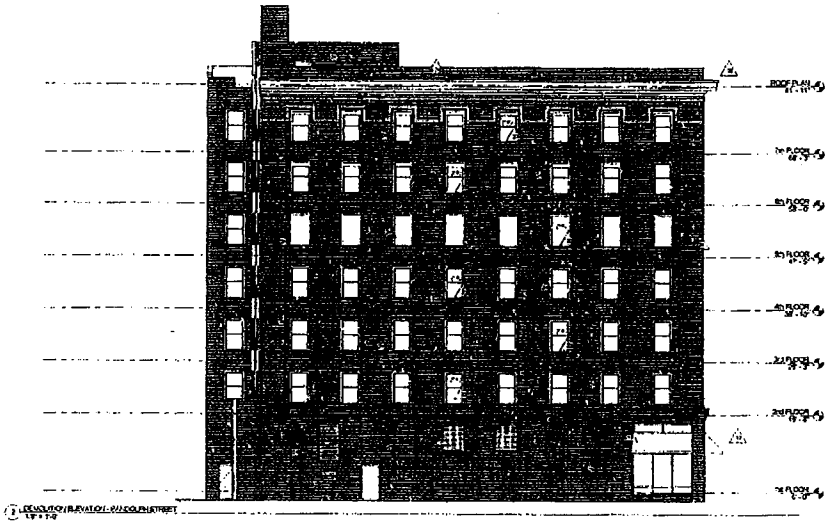
(4) That the City of Norfolk shall not be responsible for any damage to the encroaching structures, including replacement and reinstallation costs, resulting from the City's operation, maintenance, repair, or replacement of any utilities located in the right-of-way of W. Plume Street or Randolph Street.

Section 2:- That the failure of Owner, or its successors and assigns, to fully comply with all contingencies set forth herein shall operate as an automatic revocation of the permission granted hereby.

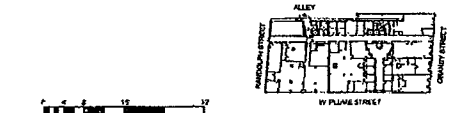
Section 3:- That the use of the said encroaching structures shall be deemed an acceptance by Owner, and its successors and assigns, of all conditions to which the permission herein granted is subject.

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

1 DEMOLITION ELEVATION - W. PLUME STREET



2 DEMOLITION ELEVATION - RANDOLPH STREET



Graphic Scale

ELEVATION KEY PLAN

R • B • A
REINHOLDER BAGNES ASSOCIATES, LLC

NOT FOR CONSTRUCTION
PRICING SET ONLY

100 PLUME STREET, NORFOLK, VA
RENOVATIONS

DEMOLITION ELEVATIONS

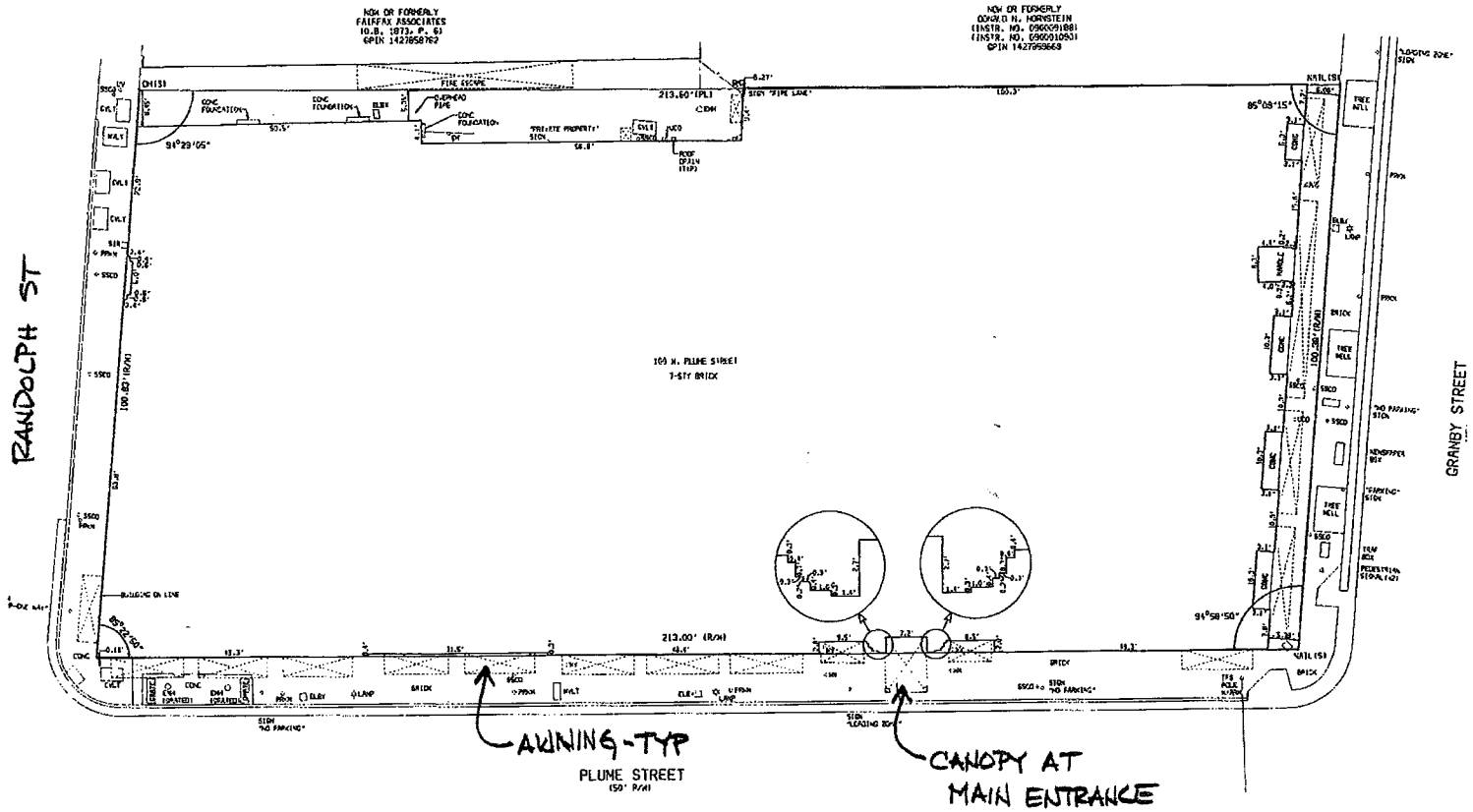
D2.1

1: D.B. 2050, P. 459

ONED: D-2: WITHIN DOWNTOWN HISTORIC OVERLAY DISTRICT

NORFOLK ZONING ORDINANCE:
< REQUIREMENTS
lone in the D-2 district include floor area ratio (FAR),
nt, yard requirements, and lot coverage, and required public
lna FAR, yard and building height standards for this district
s:
: ratio: Five for all uses; maximum adjoining permanent
pace included in gross lot area shall not exceed one hundred

ilding height: None, except that height limits may be
protect specific adjoining historic structures pursuant to
e set forth in section B-0.11.
rements: None, except build-to lot line on seventy-five (75)
reet frontage along those segments of Main Street and Granby
district.
ot coverage by buildings: None"

APPEAR TO BE ANY STRIPED PARKING SPACES ON THE SUBJECT PROPERTY.

21,336 SQ. FT. / 0.491 AC.