

ORDINANCE NO. 3054

AN ORDINANCE authorizing the owner of the building known as the Torpedo Factory Building No. 1 to construct and maintain encroachments consisting of an extension of an existing brick-facing encroachment previously authorized by Ordinance No. 2840, bay windows, a building corner at the intersection of Cameron Street and North Union Street and a cornice into the adjoining rights-of-way of Cameron Street and North Union Street in the City of Alexandria, Virginia.

WHEREAS, the Alexandria Waterfront Restoration Group is the owner of a building known as Torpedo Factory Building No. 1, bounded on the west by North Lee Street, on the north by Cameron Street, on the east by North Union Street, and on the south by an alley running between North Lee Street and North Union Street known as "Fayette Alley," located in the City of Alexandria, Virginia; and

WHEREAS, the said owner and applicant desires to extend, construct and maintain an existing encroachment authorized by Ordinance No. 2840 consisting of a brick facing which will encroach into the right-of-way of the west side of North Union Street; and

WHEREAS, the said owner and applicant desires to construct and maintain bay windows which will encroach into the public rights-of-way of the north side of Fayette Alley, the south side of Cameron Street, the east side of North Lee Street and the west side of North Union Street; and

WHEREAS, the said owner and applicant desires to construct and maintain a corner of Torpedo Factory Building No. 1 which will encroach into the public right-of-way at the intersection of Cameron Street and North Union Street; and

WHEREAS, the said owner and applicant desires to construct and maintain a cornice which will encroach into the public right-of-way of the west side of North Union Street; and

WHEREAS, the proposed encroachments will consist of a brick facing which will encroach 9.6 inches into the public right-of-way of the west side of North Union Street; a series of bay windows which will encroach into the public rights-of-way of the north side of Fayette Alley, the south side of Cameron Street, the east side of North Lee Street and the west side of North Union Street approximately 3.2 feet, beginning at a point approximately 23 feet above the sidewalk; a building corner that will encroach into the public right-of-way at the intersection of Cameron Street and North Union Street approximately 1.2 inches; and a cornice which will encroach into the public right-of-way of the west side of North Union Street approximately 1.8 feet, beginning at a point 23.6 feet above the sidewalk; and

WHEREAS, the public right-of-way at those points will not be significantly impaired by these encroachments; and

WHEREAS, the said encroachments have been approved by the Planning Commission of the City of Alexandria, Virginia, and it is determined that they are not detrimental to the public interest; therefore,

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That the Alexandria Waterfront Restoration Group, and their successors in title, be and the same hereby are authorized to maintain the above-described encroachments which will consist of the following: a brick facing which will encroach a maximum of 9.6 inches into the public right-of-way on the west side of North Union Street, said encroachment being the facing for an entrance that will be approximately 46 feet and 2 inches wide; and a series of bay windows which will encroach into the public rights-of-way of the north side of Fayette Alley, the south side of Cameron Street, the east side of North Lee Street, and the west side of North Union Street approximately 3.2 feet, beginning at a point approximately 23 feet above the sidewalk; and a building corner that will encroach into the public right-of-way at the intersection of Cameron Street and North Union Street approximately 1.2 inches; and a cornice which will encroach into the public right-of-way of the west side of North Union Street approximately 1.8 feet, beginning at a point 23.6 feet above the sidewalk, until such encroachments are removed or destroyed, provided this authority shall not be construed to relieve such owner of liability for any negligence on their part on account of such encroachments and subject to the hereinafter contained provisions.

Section 2. That the privilege hereby granted to maintain the encroachments shall be subject to the maintaining by the owners of the encroachments of public liability and property damage insurance indemnifying the City of Alexandria, such policy to be presented to the city attorney for approval.

Section 3. That the maintenance and use of said encroachments, pursuant to the authority hereby granted, shall be considered an agreement by the owners and its successors and assigns to save harmless the City of Alexandria from any liability by reason of the use and maintenance of the said encroachments.

Section 4. That the title of and an informal memorandum explaining this ordinance shall be published in a newspaper of general circulation published in the city not later than five days following its introduction together with a notice containing the time and place for a public hearing. The city clerk shall have the full text of this ordinance printed in sufficient

numbers to supply copies to meet request. The city clerk shall note the date of introduction and first reading, the date of publication, the date of the public hearing, and the date of the second reading and final passage in the minutes of the meeting. This ordinance shall become effective the date of its final passage.

CHARLES E. BEATLEY, JR.  
Mayor

Final Passage: June 15, 1985