



Legislation Details (With Text)

File #: 17-0224 **Version:** 1 **Name:** Farmington Encroachment
Type: Resolution **Status:** Passed
File created: 6/20/2017 **In control:** City Council Legislative Session
On agenda: 7/12/2017 **Final action:** 7/12/2017
Title: Resolution Authorizing the Grant of an Encroachment, Pursuant to § 34-86 of the City Code, to the Farmington Civic Association, Comprising 700 Square Feet, More or Less, to Install a Pole to Mount a Security Camera, Replace Electrical Utilities, and Install a Flag Pole in the Public Right of Way of Farmington Boulevard

Sponsors:

Indexes:

Code sections:

Attachments: 1. Encroachment

| Date | Ver. | Action By | Action | Result |
|-----------|------|----------------------------------|----------|--------|
| 7/12/2017 | 1 | City Council Legislative Session | approved | Pass |

Resolution Authorizing the Grant of an Encroachment, Pursuant to § 34-86 of the City Code, to the Farmington Civic Association, Comprising 700 Square Feet, More or Less, to Install a Pole to Mount a Security Camera, Replace Electrical Utilities, and Install a Flag Pole in the Public Right of Way of Farmington Boulevard

PURPOSE/BACKGROUND:

Farmington Civic Association (“Licensee”) is a homeowners association in the Farmington subdivision, organized in 1990 in part to maintain a safe, high-quality appearance of the community environment that supports activities to promote harmony and good will (“Licensee’s Community”).

Licensee requests that the City grant it permission to encroach into two areas of City-owned right-of-way located on the south end median of Farmington Boulevard near Todds Lane (“Licensed Area”), comprising 600 square feet for an 8’ unpainted salt-treated wood pole to mount a security camera and to replace electrical utilities and 100 square feet for a flag pole, both areas more or less (the “Licensed Improvements”), as illustrated on Exhibit “A” of the Encroachment Agreement.

The request was routed to staff and local utility companies. While none have any objection, staff recommends approval subject to the following conditions:

- (a) The camera must be on its own pole;
- (b) Licensee must remove and replace the Licensed Improvements if any utilities in the Licensed Area require maintenance, all of which serve the Licensee’s Community, because the Licensed Area is (1) directly over a 15’ terracotta gravity sewer line (approximately 9’ deep); (2) in the same general area as a Cox Communications line; (3) near a 2” plastic Virginia Natural Gas main; and (4) within a 10’ wide Dominion Energy easement; and

(c) Licensee shall hand dig the utility line within 2' of the gas line and at least 1' from the other utilities; and hand dig all areas about 6" deep if more landscaping is desired.

Therefore, pursuant to § 34-86 of the City Code, staff recommends approval under the conditions outlined in the accompanying Encroachment Agreement.

Discussion:

N/A

Impact:

N/A

Recommendation:

Approve Resolution

WHEREAS, Farmington Civic Association ("Licensee") is a homeowners association in the Farmington subdivision, organized in 1990 in part to maintain a safe, high-quality appearance of the community environment that supports activities to promote harmony and good will ("Licensee's Community");

WHEREAS, Licensee requests that the City grant it permission to encroach into two areas of City-owned right-of-way located on the south end median of Farmington Boulevard near Todds Lane ("Licensed Area"), comprising approximately 600 square feet for an 8' unpainted salt-treated wood pole to mount a security camera and to replace electrical utilities and approximately 100 square feet for a flag pole, both areas more or less (the "Licensed Improvements"), as illustrated on Exhibit "A" of the Encroachment Agreement;

WHEREAS, neither staff nor the local utility companies to whom the request was routed have any objection; and, accordingly, staff recommends approval subject to the following conditions:

(a) The camera must be on its own pole;

(b) Licensee must remove and replace the Licensed Improvements if any utilities in the Licensed Area require maintenance, all of which serve the Licensee's Community, because the Licensed Area is (1) directly over a 15' terracotta gravity sewer line (approximately 9' deep); (2) in the same general area as a Cox Communications line; (3) near a 2" plastic Virginia Natural Gas main; and (4) within a 10' wide Dominion Energy easement; and

(c) Licensee shall hand dig the utility line within 2' of the gas line and at least 1' from the other utilities; and hand dig all areas about 6" deep if more landscaping is desired; and

WHEREAS, pursuant to § 34-86 of the City Code, the City agrees to grant the Licensee a revocable license for the proposed encroachment under the terms and conditions as specified in the attached Encroachment Agreement.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Hampton, Virginia, as follows:

1. That the Encroachment Agreement between the City of Hampton and the Farmington Civic Association is approved; and
2. That the City Manager, or her authorized designee, and Clerk of Council are authorized to execute and attest the Encroachment Agreement, as set forth in this Resolution.