



## Legislation Text

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**File #:** 17-0361, **Version:** 1

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Resolution Authorizing the Grant of an Encroachment, Pursuant to § 34-86 of the City Code, to CCJ Armistead, LLC, Into Areas of Public Rights-of-Way Known as N. Armistead Avenue, LaSalle Avenue, and Thomas Street for Force Main Connections Comprising 4,000 Square Feet, More or Less, for the Development at 1100 N. Armistead Avenue (LRSN 8000286)

### **PURPOSE/BACKGROUND:**

CCJ Armistead, LLC ("Licensee"), owner of the property located at 1100 N. Armistead Avenue (LRSN 8000286), requests permission to encroach into areas of public rights-of-way known as N. Armistead Avenue, LaSalle Avenue, and Thomas Street (the "Properties"). Licensee is developing a fast food restaurant on its parcel and desires to use areas of the Properties comprising 400 square feet (200' x 2') for force main boring and 3,600 square feet (360' x 10') for force main open cut installation (the "Licensed Improvements"), comprising a combined total area of 4,000 square feet, all areas more or less, as illustrated on Exhibit "A" attached to the Encroachment Agreement.

The request was routed to staff and local utility companies. None have any objection. However, in addition to the standard conditions, staff recommends approval subject to the condition that the Licensed Improvements must be separated by at least 12" between the new water line and sanitary sewer force mains and the existing gas lines.

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**, CCJ Armistead, LLC ("Licensee"), owner of the property located at 1100 N. Armistead Avenue (LRSN 8000286), requests permission to encroach into areas of public rights-of-way known as N. Armistead Avenue, LaSalle Avenue, and Thomas Street (the "Properties");

**WHEREAS**, Licensee is developing a fast food restaurant on its parcel and desires to use areas of the Properties comprising 400 square feet (200' x 2') for force main boring and 3,600 square feet (360' x 10') for force main open cut installation (the "Licensed Improvements"), comprising a combined total area of 4,000 square feet, all areas more or less, as illustrated on Exhibit "A" attached

to the Encroachment Agreement;

**WHEREAS**, the request was routed to staff and local utility companies;

**WHEREAS**, none have any objection; however, in addition to the standard conditions, staff recommends approval subject to the condition that the Licensed Improvements must be separated by at least 12" between the new water line and sanitary sewer force mains and the existing gas lines;

**WHEREAS**, pursuant to § 34-86 of the City Code, the City agrees to grant CCJ Armistead, LLC 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 CCJ Armistead, LLC is hereby approved; and
2. That the City Manager, or her authorized designee, and Clerk of Council are hereby authorized to execute and attest the Encroachment Agreement as set forth in this Resolution.