



CITY OF RICHMOND

Department of Planning & Development Review *Staff Report*

Ord. No. 2017-245: To close, to public use and travel, an alley bounded by McDonough Street, West 12th Street, Perry Street, and West 13th Street, consisting of 1,219± square feet, upon certain terms and conditions.

To: City Planning Commission
From: Land Use Administration
Date: January 3, 2018

PETITIONER

Bobby Vincent, Director, Department of Public Works

LOCATION

Unimproved public alley in the block bounded by McDonough Street, West 12th Street, Perry Street, and West 13th Street.

PURPOSE

To close to public use and travel an alley containing 1,219 square feet as shown on a plan prepared by the Department of Public Works and designated as DPW Dwg. No. N-28800 dated October 13, 2017 entitled "PROPOSED CLOSING TO PUBLIC USE AND TRAVEL PORTION OF AN UNIMPROVED PUBLIC ALLEY IN THE BLOCK BOUNDED BY MCDONOUGH STREET, W 12TH STREET, PERRY ST, AND W 13TH STREET" at the request of the applicant.

SUMMARY & RECOMMENDATION

A letter of request dated June 26, 2017 was received from Ben Adamson, Manager at Manchester Partners 5, LLC. This closure is to allow for a mixed used development that is pedestrian focused with commercial tenants on the first floor and residential units above. All adjacent parcels are owned by Manchester Partners 5, LLC. Therefore, no other party will be impacted by this closure.

A significant number of structures have been demolished within the historic neighborhood and it is felt that this project, along with numerous other infill development projects already complete or underway, enforce the solidity and desirability of the neighborhood as a viable residential address in very close proximity to Richmond's city center. Proposed commercial and residential spaces open to and view their part of both 12th and McDonough Streets and the corner which will provide enhanced security and contribute to the sense of community in this area of the Manchester neighborhood. The portion of the alley closing facilitates the project ability to construct the proposed development.

The broader picture includes a mixed used development that is pedestrian focused with commercial tenants on the first floor and residential units above. Plans for this work have been submitted and are currently still under review by City agencies.

The small section of the alley is no longer in use and has no functional capacity. Additionally, the alley is between seven parcels currently owned by the Manchester Partners 5, LLC, therefore, no other party will be impacted by this closure.

Other reviewing administrative agencies offered no objections to the closing request.

The section of the alley to be closed measures 1,219 square feet. The value for this City right of way has been established to be \$7,694, based on the assessed value of the adjacent parcels. It is standard practice to require the applicant to pay the City for right of way requested to be vacated. The applicant has agreed to purchase the closed portion with such agreement in accordance with Section 15.2-2008 of the Virginia Code and approved as to form and legality by the City Attorney.

The Department of Public Works offers no objections to the proposed right-of-way closing and requests that any approvals be subject to, and including without limitation, the following terms and conditions:

1. The applicant(s)/owner(s)/successor(s) shall be responsible for any and all costs associated with the proposed closing, including without limitation, realignment, relocation, or removal of utilities, or infrastructures, installment of new utilities or infrastructures, new or revised street name or directional signs, streetlights, etc., as required or directed by City Agencies.
2. The applicant(s)/owner(s)/successor(s) shall identify and protect the rights of any public and/or private owners of utilities who may have a vested interest or facilities in subject right-of-way.
3. The portion of a 10' alley at McDonough St is subject to the City adoption of Special Use Permit-023101-2017.
4. The applicant(s)/owner(s)/successor(s) shall be responsible for surface overflow in the area to be closed.
5. The applicant(s)/owner(s)/successor(s) shall be responsible for obtaining the written consent of all abutting landowners to the closing and other property owners within the block affected by the closing.
6. The applicant(s)/owner(s)/successor(s) agrees to pay the City of Richmond for this public right-of-way, the sum of \$7,694
7. A twelve-month expiration clause shall be included whereby all conditions must be satisfied by the applicant(s)/owner(s)/successor(s) within twelve months of the ordinance adoption date and approved by the City before the ordinance can go into effect
8. The applicant(s)/owner(s)/successor(s) is responsible for providing the Law Department with written evidence that all conditions of the ordinance have been satisfied. Should this written evidence not be submitted to the said offices prior to the expiration date, twelve months after final approval of the ordinance, the ordinance will become null and void automatically.

FINDINGS OF FACT

SITE DESCRIPTION

Unimproved public alley in the block bounded by McDonough Street, West 12th Street, Perry Street, and West 13th Street.

PROPOSED USE FOR THE PROPERTY

Mixed-Use building with off-street parking.

MASTER PLAN

The area surrounding the subject property is located in a General Urban Area, as designated by the Downtown Plan. Such areas are characterized by medium-density, mixed-use development distributed along medium-sized blocks (p. 3.23).

ZONING

The current zoning for the right-of-way is R-8, Urban Residential.

SURROUNDING AREA

The surrounding area is comprised of a mixture of residential, commercial, open space and vacant land uses.

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