



CITY OF RICHMOND

Department of Planning & Development Review *Staff Report*

Ord. No. 2024-295: To declare a public necessity exists and to authorize the acquisition of certain fee simple interests and easements for the public purpose of facilitating the construction, operation, and maintenance of the Seaton Acres Drainage Improvement Project.

To: City Planning Commission
From: DPU-Jennifer Clarke, Project Manager
Date: November 19, 2024

PETITIONER

Jenn Clarke, Program and Operations Supervisor, DPU

LOCATION

2705 McLeod Road, 5430 Snead Road, and 5434 Kendall Road.

PURPOSE

To declare that a public necessity exists and to authorize the Chief Administrative Officer, or the designee thereof, to acquire certain fee simple interests, permanent and temporary easements, by voluntary conveyance or by condemnation proceedings, for the construction, operation, and maintenance of the Seaton Acres Drainage Improvement Project as illustrated on the attached plats prepared by Cardinal Civil Resources.

SUMMARY & RECOMMENDATION

The purpose of this ordinance is to declare that a public necessity exists and to authorize the Chief Administrative Officer, or the designee thereof, to acquire certain fee simple interests, permanent and temporary easements, by gift, purchase, condemnation, or otherwise for the Seaton Acres Drainage Improvement Project as illustrated on the attached plats prepared by Cardinal Civil Resources entitled "Plat Showing Variable Width Temporary Construction Easement on the Property of Robert Clark 2705 McLeod Road PID: C0080736022, City of Richmond, Virginia," "Plat Showing Variable Width Temporary Construction Easement on the Property of Widmark & Debbie L Cadet 5434 Kendall Road PID: C0080694034, City of Richmond, Virginia," and "Plat Showing Variable Width Temporary Construction Easements and Permanent Drainage Easements on the Property of Victoria A. Woodward 5430 Snead Road PID: C0080615022, City of Richmond, Virginia."

The Seaton Acres Drainage Improvement Project will bring updated and adequate stormwater infrastructure to this 9th City Council District neighborhood, including the replacement of existing ditches with nearly 3,000 linear feet of underground stormwater pipe and vertical adjustments to Bertram Road, McLeod Road, and Kendall Road to minimize low-lying areas. The project will also involve installing stormwater inlets, new curb and gutter alongside the roadways, and a new outfall ditch to allow for the proper drainage of the new piped system.

Thus far, the Department of Public Utilities has acquired 33 temporary easements and 10 temporary and permanent easements for 43 of the 46 properties within the project area, pursuant to Richmond City Code (2020) § 8-33. The Department of Public Utilities needs additional easements for 2705 McLeod Road, 5434 Kendall Road, and 5430 Snead Road in order to progress with and facilitate the construction, operation, and maintenance of the Seaton Acres Drainage Improvement Project.

The cost of the remaining easement acquisitions is estimated at \$13,000. Funds are available within the project budget and will be paid from the Stormwater Utility Fund.

Relocations of residences or businesses are not required or necessary for this project. Property rights for the easements will be purchased using fair market value and negotiations. However, if the Department of Public Utilities is unable to negotiate successfully with the property owners the Department of Public Utilities will request that the Chief Administrative Officer, or the designee thereof, exercise the authority delegated through City Council to perform condemnation action of the necessary easements under Richmond City Charter § 18.03. If condemnation is required, the Department of Public Utilities will continue negotiations with the property owners during the condemnation process in order to allow the Seaton Acres Drainage Improvement Project to continue to proceed.

The subject properties at 2705 McLeod Road, 5430 Snead Road, and 5434 Kendall Road are improved with single-family detached dwellings. The proposal includes three temporary construction easements and one permanent drainage easement. Review of this project by the Planning Commission is considered a review of the general location of a public utility, pursuant to Richmond City Charter Sec. 17.07.

Staff recommends approval of this ordinance.

STAFF CONTACT

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