



CITY OF RICHMOND

Department of Planning & Development Review *Staff Report*

Ord. No. 2021-237 - To close, to public use and travel, two alley bounded by East Jackson Street, North 8th Street, East Leigh Street, and North 7th Street, consisting of 8,665 ± square feet, upon certain terms and conditions.

To: City Planning Commission
From: Land Use Administration
Date: October 4, 2021

PETITIONER

Bobby Vincent Jr., Director, Department of Public Works

LOCATION

Public Alleys in the block bounded by E Leigh Street, E Jackson Street, N 8th Street, and N 7th Street.

PURPOSE

To close, to public use and travel, two alley bounded by East Jackson Street, North 8th Street, East Leigh Street, and North 7th Street, consisting of 8,665 ± square feet, upon certain terms and conditions.

SUMMARY & RECOMMENDATION

This ordinance will supersede Ordinance No. 2020-101, adopted May 11, 2020, which has expired. Ordinance No. 2020-101 was to become effective only upon satisfaction of all listed conditions within twelve (12) months of adoption; however, several conditions were not satisfied within the designated timeframe. A new letter of request dated August 10, 2021, has been received from Glenn W. Custis, Principal, with Draper Aden Associates, on behalf of the property owner, Activation Capital. Activation Capital is developing the parcels of land between E. Leigh Street, N. 7th Street, N. 8th Street, and E. Jackson Street. This development will further add to the existing Bio+Tech Park that comprises a 34-acre campus in downtown Richmond that is home to 70 businesses, nonprofits; government laboratories and research institutes.

The vacation of these alleys is necessary to facilitate this building construction. Activation Capital owns all of the parcels of land being consolidated with this plat. The vacation of these alleys does not impact any of the adjacent land owners.

The value of the right of way to be vacated (8,665 SF) has been determined to be \$54,502.85 (\$6.29 per square foot) and is based on assessed values of adjacent parcels

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

The Department of Public Works offers no objections to the proposed right-of-way closing and request 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 provide evidence that they have identified any public or private utilities that may have a vested interest in or facilities located within the subject right of way and worked out arrangements with the owners of any such utilities to protect the owner's rights. All affected owners of private and public infrastructure must provide written acknowledgement that they are satisfied with the resolution of their facilities within the proposed closing area for this Ordinance to be valid.
3. The applicant(s)/owner(s)/successor(s) shall be responsible for surface storm water overflow in the area to be closed.
4. 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.
5. 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.
6. The applicant(s)/owner(s)/successor(s) agrees to pay the City of Richmond for this public right-of-way, the sum of \$ 54,502.85.
7. The applicant has submitted a Plan of Development (POD-059505-2019) for the development of these parcels. As a condition of POD approval, this right of way closure and vacation must be approved by City Council.
8. The applicant/developer of the property must agree to preserve the existing cobblestones within the vacated alleys; or, should the cobblestones be removed at a future date, the applicant/developer shall agree to return the cobblestones to the City at a location designated by the Department of Public Works.
9. The applicant(s)/owner(s)/successor(s) is responsible for providing the Law Department with written evidence within twelve (12) months of the ordinance adoption 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 after final approval of the ordinance, the ordinance will become null and void automatically.

City Administration recommends approval of this request.

FINDINGS OF FACT

SITE DESCRIPTION

The project is located in a public Alley in the block bounded by E Leigh Street, E Jackson Street, N 8th Street, and N 7th Street.

PROPOSED USE FOR THE PROPERTY

Expansion of Biotech campus for Activation Capital.

MASTER PLAN

The City's Richmond 300 Master Plan designates a future land use for this property as Downtown Mixed-Use, which is defined as the "Central business district of the Richmond region features high-density development with office buildings, residential buildings, and a mix of complementary uses, including regional destinations in a highly-walkable urban environment." Higher density pedestrian- and transit-oriented development encouraged on vacant or underutilized sites. Historic buildings are adapted for new uses. Future development should be urban in form and may be of larger scale than existing context. Plazas and setbacks create an engaging street life. Many buildings are vertically mixed-use. New developments continue or introduce a gridded street pattern to increase connectivity. Ground floor uses engage with and enliven the street. Monolithic walls are discouraged, while windows, doors, storefronts, and other features that allow transparency and interaction between building and street are encouraged. Active commercial ground floor uses required on street-oriented commercial frontages. Mobility: Pedestrian, bicycle, and transit access are prioritized and accommodated. Bike parking is provided. Driveway entrances are required to be of alleys whenever possible; new driveways are prohibited on priority and principal street frontages. Surface parking is prohibited as a principal use. Parking requirements are substantially less in these areas than other areas of the City and are largely eliminated. Intensity: Buildings typically a minimum height of five stories. Primary Uses: Retail/office/personal service, multi-family residential, cultural, institutional, government, and open space. (p. 66)

This portion of the public right of way is also within the Plan's Downtown Priority Growth Node. Priority Growth Nodes are where the City is encouraging the most significant growth in population and development over the next 20 years. (p. 24)

ZONING

RP Research Park District

SURROUNDING AREA

The area includes mix of commercial and institutional uses.

Staff Contact:

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