



# CITY OF RICHMOND

## Department of Planning & Development Review *Staff Report*

**Ord. No. 2020-216:** To close, to public use and travel, Anderson Street and an east-west alley that bisects Anderson Street located at the northwest corner of the intersection of Government Road and Glenwood Avenue consisting of 18,660± square feet, upon certain terms and conditions.

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**To:** City Planning Commission  
**From:** Land Use Administration  
**Date:** October 19, 2020

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### **PETITIONER**

Bobby Vincent Jr., Director, Department of Public Works

### **LOCATION**

Public Right-of-Way at the Northwest corner of the intersection of Government Road and Glenwood Avenue

### **PURPOSE**

To close, to public use and travel, Anderson Street and an east-west alley that bisects Anderson Street located at the northwest corner of the intersection of Government Road and Glenwood Avenue consisting of 18,660± square feet, upon certain terms and conditions.

### **SUMMARY & RECOMMENDATION**

The Department of Public Works received a letter of request dated August 14, 2019 from Mark Baker with Baker Development Resources, on behalf of the applicant, Evolve HLD, LLC. Evolve HLD, LLC is purchasing the property from 3012 Park Avenue LLC. The applicant is intending a development that would include a mix of multi-family residential units and a corner commercial use. Vacating these rights of way is needed for the development to move forward through the planning and approval process.

The value of the right of way to be vacated (18,660 sf) has been determined to be \$ 83,970 (\$ 4.50 per square foot) and is based on assessed values of adjacent parcels. Due to the fact that the City will retain a utility easement over the vacated portion of the alley, this amount will be reduced by 30% for the retained easement area (30% x \$4.50 x 7,696) or \$10,398.60. Thus the amount due will be \$73,580.40.

The closing of these rights of way will not negatively impact the local City transportation network. Other reviewing administrative agencies offered no objections to the closing request.

Department of Public Works Staff recommends approval of this ordinance, with 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.
  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. The applicant(s)/owner(s)/successor(s) agrees to pay the City of Richmond for this public right-of-way, the sum of \$73,580.40
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6. A Plan of Development for the construction of the improvements on the site must be submitted and approved by the City within eighteen (18) months. Should approval of the Plan of Development be denied, this closure of the public right of way will not go into effect.

7. The vacated alley rights of way shall be retained by the City as a "Public Utility Easement" and the area is designated on DPW Drawing No. N-28893 by hatched lines and contains 7,696 square feet.

8. The applicant shall agree in writing that any City material (granite and cobblestone) found on the site shall be removed and returned to the City.

9. The applicant(s)/owner(s)/successor(s) is responsible for providing the Law Department with written evidence within eighteen (18) 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.

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## **FINDINGS OF FACT**

### **Site Description**

Anderson Street is a 50' right of way that intersects the north line of Government Road and extends north onto the Property, terminating at 3811 Glenwood Avenue. The alleys have a 15' wide right of way and run east and west, perpendicular to Anderson Street. These rights of way are unimproved and consists of approximately 18,660 square feet. They are located in the Chimborazo neighborhood.

### **Proposed Use of the Property**

The vacated right of way would be incorporated into a potential development that would include a mix of multi-family residential units and a corner commercial use.

### **Master Plan**

The City of Richmond's Master Plan designates the properties surrounding this portion of public right-of-way as Mixed-Use Residential. Primary uses include single, two, and multi-family dwellings, live/work units and neighborhood serving commercial uses developed in a traditional urban form. These commercial uses are limited in location, type and scale and are intended to provide for the convenience of urban neighborhood residents within walking distance, to respect the primary residential character of the neighborhood and to avoid traffic, parking, noise and other impacts that typically result from uses that draw patrons from outside the neighborhood. Typical zoning classification that may accommodate this land use category: R-63 and R-8.

### **Zoning**

The current zoning for properties surrounding this portion of public right-of-way is R-63 Multi-Family Urban Residential, which allows multi-family residential uses and commercial uses on corner parcels.

### **Surrounding Area**

The surrounding area is comprised of a mix of vacant, single-family residential, multi-family residential, and commercial land uses.

### **Staff Contact:**

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