



CITY OF RICHMOND

Department of Planning & Development Review *Staff Report*

Ord. No. 2021-284 - To close, to public use and travel, an alley bounded by West Leigh Street, North Belvidere Street, West Duval Street, and Brook Road, consisting of 2,370± square feet, upon certain terms and conditions.

To: City Planning Commission
From: Land Use Administration
Date: October 18, 2021

PETITIONER

Bobby Vincent Jr., Director, Department of Public Works

LOCATION

Public Alley in the block bounded by West Leigh Street, North Belvidere Street, West Duval Street, and Brook Road.

PURPOSE

To close to public use and travel a public right of way for an alley in the block bounded by W Leigh Street, N Belvidere Street, W Duval Street and Brook Road, containing 2,370 square feet, as shown on a plan prepared by the Department of Public Works designated as DPW Dwg. No. N-28922 dated 04/08/2021 and entitled "PROPOSED CLOSING TO PUBLIC USE AND TRAVEL OF AN ALLEY IN THE BLOCK BOUNDED BY W LEIGH STREET, N BELVIDERE STREET, W DUVAL STREET AND BROOK ROAD" at the request of the applicant.

SUMMARY & RECOMMENDATION

Sterling Bilder, LLC owns all of the properties in the block bounded by W Leigh Street, N Belvidere Street, W Duval Street and Brook Road. The block is presently unimproved and there is also an unimproved public alley running between W Leigh St and W Duval St which splits the block. Joshua Bilder, President of Sterling Bilder, LLC, has submitted a request to close this alley to public use and travel for the purpose of joining it with the entire parcel in order to redevelop the property. The proposed future use of this property is a commercial development. The final transfer of the vacated alley will be dependent upon the City approval of a Plan of Development for the parcel.

Closing of this City right of way will not negatively impact the local transportation network nor will the right of way be necessary for any future Capital Improvements. Other reviewing City agencies offered no objection to this proposed closing request.

The value of the right of way to be vacated (2,370 sf) has been determined to be \$69,512.10 (\$29.33 per square foot) and is based on assessed values of adjacent parcels. A fee for this amount is due to the City as a condition of this ordinance.

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.
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 thirty-six (36) month expiration clause shall be included whereby all conditions must be satisfied by the applicant(s)/owner(s)/successor(s) within thirty-six (36) months of the ordinance adoption date and approved by the City before the ordinance can go into effect.
6. A Plan of Development for the construction of the improvements on the site must be submitted and approved by the City within thirty-six (36) months of ordinance adoption. Should approval of the Plan of Development be denied, this closure of the public right of way will not go into effect.
7. The applicant(s)/owner(s)/successor(s) agrees to pay the City of Richmond for this public right-of-way, the sum of \$69,512.10.
8. The applicant/owner must agree in writing that if any cobblestones are found within the alley during time of construction, the applicant(s)/owner shall remove and preserve these City assets and package and deliver these cobblestones to a location as designated by the City.
9. The applicant(s)/owner(s)/successor(s) is responsible for providing the Law Department with written evidence within thirty-six (36) 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 an unimproved public alley in the block bounded by West Leigh Street, North Belvidere Street, West Duval Street and Brook Road.

PROPOSED USE FOR THE PROPERTY

Incorporation into development of surrounding property

MASTER PLAN

The Richmond 300 Master Plan designates this area as Neighborhood Mixed-Use which is defined as “Existing or new highly-walkable urban neighborhoods that are predominantly residential with a small, but critical, percentage of parcels providing retail, office, personal service, and institutional uses.” (p. 56) These areas feature a variety of building types that are close to one another and create a unified street wall. The building size, density, and zoning districts for these areas vary depending on historical densities and neighborhood characteristics. Future development should generally complement existing context. Setbacks, plazas, and parks create a sense of place and community gathering areas. New developments on larger parcels continue or introduce a gridded street pattern to increase connectivity within the neighborhood and to adjacent neighborhoods. In historic neighborhoods, small-scale commercial uses exist today or should be allowed to reestablish. In new neighborhoods, small scale commercial buildings should be introduced. Regardless of use, buildings should engage the street with features such as street-oriented façades with windows and door openings along street frontages. Appropriate setbacks, open space, front porches, elevated ground floors, and other features that provide a sense of privacy should be provided for residential uses. Pedestrian, bicycle, and transit access are prioritized and accommodated. Bike parking is provided. New driveways are prohibited on Priority and Principal Street frontages. Vehicular access to parcels should use alleys wherever possible. Parking areas should be located to the rear of street-facing buildings.

Intensity: Building heights are generally two to four stories. Buildings taller than four stories may be found along major streets. Parcels are generally between 1,500 and 5,000 sq. ft.

Primary Uses: Single-family houses, accessory dwelling units, duplexes, small multi-family buildings (typically 3-10 units), and open space.

Secondary Uses: Large multifamily buildings (10+units), retail/office/personal service, institutional, cultural, and government.

The Right of Way connects to West Leigh Street which is categorized as a Major Mixed Use Street within the designated Great Streets typologies. Major Mixed Use Streets are intended to:

- Carry high volumes of vehicles, pedestrians, and bicycles, through commercial and mixed-use areas
- Prioritize use and density-scaled sidewalks and crosswalks
- Require form elements, such as buildings to the street with parking in the rear, as well as building windows and entrances on the street
- Incorporate streetscape features, such as trees, benches, and trash receptacles

- Ideal locations for transit routes and transit stops
- Prioritize the curbside for walking, bicycling, transit, and short-term parking access and loading for local shops and restaurants.

The Right of Way is located within the Master Plan’s designated Jackson Ward Priority Growth Node which are designated areas “...where the City is encouraging the most significant growth in population and development over the next 20 years.” (p. 24)

ZONING

The alley is bounded by both B-2 Community Business and R-73 Multifamily Residential zoning districts.

SURROUNDING AREA

The area includes primarily single-family, multi-family, and some institutional uses.

Staff Contact:

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