



CITY OF RICHMOND

Department of Planning & Development Review *Staff Report*

Ord. No. 2021-004: To direct the sale of the City-owned real estate known as 809 West 44th Street, 811 Rear West 44th Street, and 4306 Rear Reedy Avenue for \$8,000.00 to Lelia Pendleton and Stuart Halloran.

To: City Planning Commission
From: Land Use Administration
Date: February 1, 2021

PETITIONER

Paul A. McClellan, Community and Economic Development Administrator for Real Estate Strategies, Economic Development and Planning

LOCATION

811 Rear W 44h Street, 4306 Rear Reedy Avenue and 809 W 44th Street

PURPOSE

To authorize the Acting Chief Administrative Officer to convey the City-owned properties located at 811 Rear W 44th Street, 4306 Rear Reedy Avenue and 809 W 44th Street (Tax Parcel #'s S0003392030, S0003392011 and S0003392005) (the Properties) from the City to Lelia Pendleton and Stuart Halloran (the Offerors) for the expansion of their back yard and for the purpose of maintaining a garden to attract pollinators and birds.

SUMMARY & RECOMMENDATION

On July 20, 2020 the City received an unsolicited offer letter dated July 17, 2020 from the Offerors to acquire the Properties for \$8,000. The Offerors own a home at 811 W 44th Street which adjoins the Properties and the Offerors intend to use the Properties for expansion of their back yard and for the purpose of maintaining a garden to attract pollinators and birds. On September 14, 2020 Councilwoman Larson introduced a resolution to declare surplus the Properties and on September 28, 2020 Resolution 2020-R055 was adopted by the City Council.

The City originally acquired 811 W 44th Street and several adjoining houses to the south and west for the Reedy Creek Flood Plan project. The Offerors stated that they moved into the home at 811 W 44th Street on 10/31/1979 when it was owned by the City and they rented that property from the City until 1988 when they were given the opportunity to purchase 811 W 44th Street. At that time the lot at 811 W 44th Street was larger and it later had to be subdivided into 2 parcels so that one was above the 100 year floodplain and one was within the 100 year floodplain. Due to the cost of flood insurance the Offerors only bought the parcel containing the house that is above the 100 year floodplain. Since then the Offerors have been stewards of the Properties by maintaining the parcels behind them as a backyard and maintaining the 809 W 44th Street parcel as a garden to attract pollinators and birds.

The Properties to be sold are composed of 3 parcels which total 0.297 acres and they have a total FY 2021 assessed value of \$30,000. Two of the parcels (811 Rear W 44th Street and 809 W 44th Street) are located within the 100 year flood plain. Ordinance #2020-087 was approved on

6/8/2020 to add several City-owned parcels abutting the Reedy Creek floodplain to Crooked Branch Ravine Park. The Properties were originally part of that ordinance but the ordinance was amended to exclude them from the park designation in order to reserve them for conveyance to the Offerors.

Resolution 2020–R055 was approved on 9/28/2020 declaring the Properties as surplus and authorizing the CAO to seek offers, bids or proposals by solicitation for the sale of the Properties. Also in accordance with City Code Section 8-58 (which was amended by Ordinance No. 2017-069 on November 13, 2017) the Department of Economic Development is required to solicit competitive bids for the property prior to making a recommendation to sell the property and submitting an Ordinance to City Council requesting authorization for the CAO to sell a property. Since this offer to purchase City-owned property is considered an Unsolicited Offer it is therefore subject to the City Code Section 8-58 requirements. However City Council may override the Code Section 8-58 requirements by ordinance if it wishes to proceed with the sale of the Properties to the Offerors. Therefore the petitioner is requesting that City Council waive the competitive solicitation requirements of City Code Section 8-58 and authorize the CAO to execute deeds and any other documents necessary to complete the sale of the Properties to the Offerors, provided that all such deeds and documents first must be approved as to form by the City Attorney or their designee.

Staff recommends approval of the ordinance.

FINDINGS OF FACT

Site Description

The Properties total 12,952 square feet (0.297 acres), are located within the Forest Hill Terrace neighborhood and are generally situated to the west of W 44th Street and the Offerors' parcel and to the east of an unimproved alley. The Properties are unimproved with a garden on the 809 W 44th Street parcel.

Proposed Use of the Property

The Properties would become part of the property owned by the Offerors. There is no proposal to introduce any new use at this time, as the Offerors plan to continue to maintain the Properties as a backyard and garden.

Master Plan & Zoning

Richmond 300 recommends a land use category of Public Open Space Use for these Properties. Primary uses include open space. Cultural, institutional and government are often secondary uses. This property is currently zoned R-4 Single-Family Residential.

Surrounding Area

Properties to the north, east, south and west are all also zoned R-4 Single-Family Residential.

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