



CITY OF RICHMOND

Department of Planning & Development Review *Staff Report*

Ord. No. 2021-253- To authorize the Chief Administrative Officer, for and on behalf of the City of Richmond, to convey a portion of City-owned right-of-way known as the northwest quadrant of the intersection of West Leigh Street and North Belvidere Street, consisting of 1,364± square feet, for nominal consideration to the Virginia Department of Transportation, for the purpose of adjusting the boundaries of state and City right-of-way.

To: City Planning Commission
From: Land Use Administration
Date: December 20, 2021

PETITIONER

Joseph Davenport, Acting ROW Manager, Department of Public Works

LOCATION

Public right of way at the northwest quadrant of the intersection of W. Leigh St. and Belvidere St.

PURPOSE

To authorize the Chief Administrative Officer to convey a portion of City public right of way in the northwest quadrant of the intersection of W. Leigh St. and Belvidere St. consisting of 1,364 sq. feet as shown on DPW Drawing No. N-28977 (dated 10/28/2021) entitled "PROPOSED CONVEYANCE OF PUBLIC ROW LOCATED AT THE NORTHWEST CORNER OF THE INTERSECTION OF N. BELVIDERE STREET AND W. LEIGH STREET FROM CITY OF RICHMOND TO COMMONWEALTH OF VIRGINIA" to the Virginia Department of Transportation (VDOT).

SUMMARY & RECOMMENDATION

The purpose of this request is to correct an historical defect in the property lines separating VDOT right of way from City right of way such that all of the existing VDOT roadway(s) at the intersection of W. Leigh St. and Belvidere St. are completely within the VDOT right of way. A letter of request dated August 23, 2021 from Haley Robertson, Right of Way Agent at the Virginia Department of Transportation (VDOT) was received.

The Department of Public Works offers no objections to the proposed right-of-way conveyance and requests 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. 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.

During preparations for the original construction of I-95, properties were obtained by both the City and the State to facilitate the future work. The right of way lines were set based on construction plans prepared for this purpose. At some point in the process of either design or construction of the on ramp for I-95 South, in the vicinity of the intersection of W. Leigh St. and Belvidere St., changes were made that caused a small section of this onramp to be located within City right of way instead of State right of way.

Currently, VDOT is undertaking a project to rework this existing interchange to remove the vestiges of the old toll plaza and create a smoother and safer merging condition. Although no work is taking place at the specific area of this proposed conveyance, VDOT requested to adjust the right of way line to correct the inaccurate right of way line conditions.

The value of the right of way to be conveyed (1,364 sf) has been determined to be \$ 21,796.72 (\$ 15.98 per square foot) and is based on assessed values of adjacent parcels. Due to the fact that the conveyance is requested to place the lines of infrastructure ownership/responsibility correctly, it is not recommended that a fee be charged to the State for this property.

The conveyance of this portion of right of way will not negatively impact the local City transportation network and would have a positive impact that properly demarcation lines between maintenance responsibilities will be established. Other reviewing administrative agencies offered no objections to the conveyance request.

City Administration recommends approval of this request.

FINDINGS OF FACT

SITE DESCRIPTION

The subject property consists of approximately 1,364 square feet and is currently depicted as City of Richmond right of way.

PROPOSED USE FOR THE PROPERTY

Public Right-of-Way

MASTER PLAN

The Richmond 300 Master Plan designates these portions of public right-of-way 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.”

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.

ZONING

Public Right-of-Way

SURROUNDING AREA

Much of the area surrounding these public streets are single and two-family residential with some neighborhood commercial and institutional uses in the vicinity.

Staff Contact:

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