



## CITY OF RICHMOND

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

**Ord. No. 2022-039-** To close to public use and travel the stub portion of E 30<sup>th</sup> Street located southeast of a 16' public alley which runs parallel to and southeast of Stockton Street consisting of 4,104 sq. ft. (8th District)

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**To:** City Planning Commission  
**From:** Land Use Administration  
**Date:** March 7, 2022

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#### **PETITIONER**

Joseph Davenport, P.E., Right of Way Manager, Department of Public Works

#### **LOCATION**

The stub portion of East 30<sup>th</sup> Street located southeast of a 16' public alley which runs parallel to and southeast of Stockton Street, southeast of the property located at 3000 Stockton Street.

#### **PURPOSE**

To close to public use and travel the stub portion of E 30th Street located southeast of a 16' public alley which runs parallel to and southeast of Stockton Street consisting of 4,104 sq. ft. as shown on DPW Dwg. No. N-28941 dated 01/13/2022 and entitled "PROPOSED CLOSING TO PUBLIC USE AND TRAVEL OF PUBLIC RIGHT OF WAY FOR A STUB PORTION OF E 30TH STREET LOCATED SOUTHEAST OF A 16' PUBLIC ALLEY WHICH RUNS PARALLEL TO AND SOUTHEAST OF STOCKTON STREET" at the request of the applicant.

#### **SUMMARY & RECOMMENDATION**

A letter of request, dated July 1, 2021, from Lory Markham with Markham Planning on behalf of their clients, Spa Development LLC and Pachino LLC, the owners of all properties adjacent to the proposed closing, request vacation of the above detailed public alley.

The owners of the properties adjacent to this proposed vacation are proposing to develop the area as a warehouse and distribution center. The closure of this section of E 30th Street would make for a more practical and useable site for the design of the proposed development. This stub section of E 30th Street proposed for vacation does not benefit any properties other than those owned by the requesting parties.

The value of the right of way to be vacated (4,104 sf) has been determined to be \$17,310.88 (\$4.22 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 closing of this right of way will not negatively impact the local City transportation network. 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:

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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 infrastructure, installment of new utilities or infrastructure, 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 twelve (12)-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. A Plan of Development (POD) for the construction of the improvements on the site, or, if no POD is required, a building permit, must be submitted and approved by the City within twelve (12) months of ordinance adoption. Should approval of the Plan of Development, or building permit, 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 \$17,318.88.
8. 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.
9. If all other conditions of the ordinance are met then the City waives its reversionary rights for any portion of the vacated right of way in which it is entitled, and agrees to have it transferred to the other adjacent owner(s)

City Administration recommends approval of this request.

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## **FINDINGS OF FACT**

### **SITE DESCRIPTION**

The public alley proposed for vacation is situated with the Broad Rock neighborhood to the north, an undeveloped property and existing industrial uses to the southeast, the Swansboro Playground owned by the City of Richmond Recreation and Parks to the southwest, and further existing industrial uses to the east.

The site is currently vacant with dense vegetation.

### **PROPOSED USE FOR THE PROPERTY**

Private ownership, potential warehouse/distribution future use

## **MASTER PLAN**

The Richmond 300 Master Plan designates the property as Residential which is defined as “Neighborhood consisting primarily of single-family houses on large- or medium-sized lots more homogeneous in nature.” The development style includes: Houses on medium-sized and large-sized lots in a largely auto-dependent environment. Homes are setback from the street. Future developments continue and/or introduce a gridded street pattern to increase connectivity. Future single-family housing, accessory dwelling units, duplexes, and small multi-family residential buildings are built to a scale and design that is consistent with existing buildings.

Primary Uses: Single-family houses, accessory dwelling units, and open space.

Secondary Uses: Duplexes and small multi-family buildings (typically 3-10 units), institutional, and cultural. Secondary uses may be found along major streets.

## **ZONING**

R-5 Single-Family Residential

## **SURROUNDING AREA**

The area includes primarily single-family residential to the north, industrial uses to the south and east, and public park land to the west.

### **Staff Contact:**

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Rich Saunders, Planning Commission Secretary, Land Use Administration, 804-646-6304