



## CITY OF RICHMOND

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

**Ord. No. 2022-203** - To close, to public use and travel, an alley in the block bounded by Maury Street, East 4th Street, Everett Street, and East 3rd Street, consisting of 1,980 +/- square feet, upon certain terms and conditions.

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**To:** City Planning Commission  
**From:** Land Use Administration  
**Date:** July 18, 2022

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#### **PETITIONER**

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

#### **LOCATION**

Alley within block bounded by Maury Street, East 4th Street, Everett Street, and East 3rd Street

#### **PURPOSE**

To close to public use and travel the public right-of-way for an alley in the block bounded by Maury Street, E 4th Street, Everett Street and E 3rd Street consisting of 1,980 sq. ft. as shown enclosed in bold lines on DPW Dwg. No. N-28992 dated 03/25/2022 and entitled "PROPOSED CLOSING TO PUBLIC USE AND TRAVEL OF A PUBLIC ALLEY IN THE BLOCK BOUNDED BY MAURY STREET, E 4TH STREET, EVERETT STREET AND E 3RD STREET" at the request of the applicant.

#### **SUMMARY & RECOMMENDATION**

CDP Holdings LLC, the future owner of the property adjacent to this proposed vacation, are in the planning stages of a development that will use the vacated alley area. The alley to be vacated dead ends within the block and is unimproved and does not benefit any properties other than those owned by the present property owner.

The planned development is for a townhome or "3 over 3" rental community. The development plans to differentiate itself from other existing and upcoming rental offerings in the Manchester area by filling a supply gap for larger, townhome style rentals. Existing B-7 zoning allows this plan of development by-right.

The value of the right of way to be vacated (1980 sf) has been determined to be \$22,507.42 (\$11.37 per square foot) and is based on assessed values of adjacent parcels.

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 (CDP Holdings LLC) for this right of way closing request is not presently the owner of the property that abuts the proposed alley closing request but is in negotiation to purchase the property from the present owner (Dennis Truck & Trailer Repair, Inc.). At the time that the City Attorney is confirming that conditions of the Ordinance have been met, whomever is the current owner of the property will have the right to sign any necessary documents.
2. 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.
3. 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.
4. The applicant(s)/owner(s)/successor(s) shall be responsible for surface storm water overflow in the area to be closed.
5. 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.
6. An eighteen (18) month expiration clause shall be included whereby all conditions must be satisfied by the applicant(s)/owner(s)/successor(s) within eighteen (18) months of the ordinance adoption date and approved by the City before the ordinance can go into effect.
7. 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 eighteen (18) 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.
8. The applicant(s)/owner(s)/successor(s) agrees to pay the City of Richmond for this public right-of-way, the sum of \$22,507.42.
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 automatically become null and void.

Staff recommends approval of this request.

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## **FINDINGS OF FACT**

### **SITE DESCRIPTION**

City of Richmond Public right-of-way.

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

Single-family attached.

## **MASTER PLAN – Destination Mixed-Use**

Key gateways featuring prominent destinations, such as retail, sports venues, and large employers, as well as housing and open space. Located at the convergence of several modes of transportation, including Pulse BRT or other planned transit improvements.

Development Style: Higher-density, transit-oriented development encouraged on vacant or underutilized sites. New development should be urban in form, may be of larger scale than existing context, and, where relevant, should pay special attention to the historic character of the existing context. Development should enhance the public realm and create a sense of place. Many buildings are vertically mixed-use. Developments continue or introduce a gridded street pattern to increase connectivity.

Ground Floor: Ground floor uses engage with, and enliven, the street. Monolithic walls are discouraged, while windows, doors, storefronts, and other features that allow transparency and interaction between building and street are encouraged. Active commercial ground floor uses are required on street-oriented commercial frontages.

Mobility: Pedestrian, bicycle, and transit access are prioritized and accommodated. Bike parking is provided. Driveway entrances are required to be off alleys whenever possible; new driveways are prohibited on priority and principal street frontages. Surface parking is prohibited as a principal use; when surface parking is provided as an accessory use, it should be located to the rear of buildings and screened. Parking requirements are reduced to allow more market-based parking strategies, including shared parking.

Intensity: Buildings typically a minimum height of five stories.

Primary Uses: Retail/office/personal service, multi-family residential, cultural, and open space.

Secondary Uses: Institutional and government.

### **Major Mixed-Use Street**

The property is located partially on East 4<sup>th</sup> Street which is a designated Great Street which includes the following design goals:

- 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 (p. 72)

**ZONING**

The subject property and adjacent properties are located in the B-7 Mixed-Use Business District. The proposed use is allowed in this district without special legislative approval.

**SURROUNDING AREA**

This portion of Old Town Manchester is a mix of adaptive re-use and newly constructed, mixed-use buildings. B-7, B-4, and TOD-1 zoning are the most common zones in the area.

**Staff Contact:**

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