



## CITY OF RICHMOND

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

**Ord. No. 2022-204** - To close, to public use and travel, Anderson Street and an east-west alley that bisects Anderson Street located at the northwest corner of the intersection of Government Road and Glenwood Avenue consisting of 18,660± 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**

Northwest corner of the intersection of Government Road and Glenwood Avenue

#### **PURPOSE**

To close to public use and travel a portion of Anderson Street and an east/west alley that bisects Anderson Street consisting of 18,660 sq. feet as shown on DPW Drawing # N- 28893A dated 5/24/2022 and entitled "PROPOSED CLOSING TO PUBLIC USE & TRAVEL OF ANDERSON STREET AND AN EAST/WEST ALLEY THAT BISECTS ANDERSON ST, LOCATED AT THE NORTHWEST CORNER OF THE INTERSECTION OF GOVERNMENT ROAD AND GLENWOOD AVENUE".

#### **SUMMARY & RECOMMENDATION**

This ordinance will supersede Ordinance No. 2020-216, adopted November 9, 2020, which has expired. Ordinance No. 2020-216 was to become effective only upon satisfaction of all listed conditions within eighteen (18) months of adoption; however, several conditions were not satisfied within the designated timeframe. A new letter of request dated May 13, 2022, has been received from Baker Development Resources on behalf of their client 3012 Park Avenue, LLC.

The Property includes roughly 2.6 acres of land area and is now vacant. The Property was most recently improved as a mobile home park, which was developed in 1963 and included as many as 48 mobile home units. A master plan-driven rezoning of the area in 2010 placed the Property in an R-63 Multi-Family Urban Residential District. The applicant is now proposing to develop the Property consistent with the R-63 regulations. That development would include a mix of multi-family residential units and a corner commercial use which may serve day-to-day convenience needs of neighborhood residents and provide opportunities for residents to live and work within the neighborhood.

Anderson Street is a 50' right of way that intersects the north line of Government Road and extends north onto the Property, terminating at 3811 Glenwood Avenue. The alleys have a 15'

wide right of way and run east and west, perpendicular to Anderson Street. These rights of way are unimproved and consists of approximately 18,660 square feet.

Vacating these rights of way would allow the proposed development to move forward in a more cohesive and efficient manner.

The value of the right of way to be vacated (18,660 sf) has been determined to be \$83,970.00 (\$ 4.50 per square foot) and is based on assessed values of adjacent parcels. As it is anticipated that the City will retain a utility easement over the parcel(s), including the vacated portion of the alleys, the amount due to the City will be reduced for the anticipated retained easement area (30% x \$4.50 x 12,238) by \$16,521.30. Thus, the amount due the City will be \$67,448.70; such amount subject to adjustment based upon the exact easement area. Attached to this O&R Request is applicant drawing no. EXH-1 which generally depicts the easement area(s). This drawing is provided for informational purposes only.

The closing of these rights 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:

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. All affected owners of private and public infrastructure must provide written acknowledgement that they are satisfied with the resolution of their facilities within the proposed closing area for this Ordinance to be valid.
3. The applicant shall have prepared and submit for Department of Public Works approval a plat of any/all easements to be retained by the City over the right-of-way areas being closed; as well as any/all other easement areas to be dedicated by the applicant to City. It is anticipated that the total easement area to be retained by and dedicated to the City shall be approximately 12,238 square feet; the exact dimensions and location to be identified on the plat. Attached to this O&R Request is applicant drawing no. EXH-1 which generally depicts the easement area(s). This drawing is provided for informational purposes only.
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. 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 (12) months of the ordinance adoption date and approved by the City before the ordinance can 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 \$67,448.70; such sum may be adjusted based upon the actual area of the retained and dedicated easements to be provided to the City.

8. A Plan of Development for the construction of the improvements on the site must be submitted and approved by the City within twelve (12) months. Should approval of the Plan of Development be denied, this closure of the public right of way will not go into effect.

9. The applicant/developer of the property must agree in writing to preserve any existing cobblestones within the vacated rights-of-way; and, should any cobblestones be removed at a future date, the applicant/developer shall return the cobblestones in an undamaged and clean condition to the City at a location designated by the Department of Public Works.

10. 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.

Staff recommends approval of this request.

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## **FINDINGS OF FACT**

### **SITE DESCRIPTION**

Northwest corner of the intersection of Government Road and Glenwood Avenue

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

Mixed-use development

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

The City's Richmond 300 Master Plan designates a future land use for the subject property as Neighborhood Mixed Use which are 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." 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. (p. 56)

## **ZONING**

The property is within the R-63 Multi-Family Urban Residential District. Development of the property is being regulated by a Plan of Development.

## **SURROUNDING AREA**

The area surrounding this public right-of-way is largely vacant parcels zoned R-63 Multi-Family Urban Residential. The Church Hill neighborhood and the Glenwood Park neighborhood flank the parcels to the west and east, respectively.

### **Staff Contact:**

Matthew Ebinger, Planning Commission Secretary, Land Use Administration, 804-646-6304  
Joseph Davenport, P.E., Right-of-Way Manager, Department of Public Works, 804-646-0435