



## CITY OF RICHMOND

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

**Ord. No. 2022-256-** To vacate the full width utility easement and full width maintenance easement previously retained in the closing to public use and travel of Bunche Place by Ord. No. 97-183, adopted Jun. 23, 1997, consisting of 1,980 square feet, upon certain terms and conditions.

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**To:** City Planning Commission  
**From:** Department of Public Works  
**Date:** September 19, 2022

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#### **PETITIONER**

Bobby Vincent, Director, Department of Public Works

#### **LOCATION**

Bunch Place, located approximately 1000 feet northeast of the intersection of Nine Mile Road and N 31<sup>st</sup> Street, across from Oakwood Cemetery.

#### **PURPOSE**

To vacate the full width utility easement and full width maintenance easement previously retained in the closing to public use and travel of Bunche Place as shown on DPW Drawing No. O-23117 dated February 18, 1997 and entitled "PROPOSED CLOSING OF CREIGHTON RD., WALCOTT PL. & BUNCHE PL. (RETAINING AS A FULL WIDTH UTILITY EASEMENT) IN CREIGHTON COURT".

#### **SUMMARY & RECOMMENDATION**

The Richmond Redevelopment & Housing Authority (RRHA), and their developer (The Community Builders [TCB]), are redeveloping the Creighton Court housing complex. The project was rezoned in accordance with a plan entitled "Creighton Court Redevelopment, Community Unit Plan, Richmond, Virginia," prepared by Urban Design Associates (dated April, 2021), adopted by the City Council on September 13, 2021 by Ordinance No. 2021-182. The Community Unit Plan (CUP) proposes to develop a residential community of up to 700 dwelling units on property encompassing approximately 38 acres of land. The CUP generally includes single-family dwelling lots, multi-family dwelling lots, parking areas, community common areas and buildings, public street and alley network, and open space.

The redevelopment of Creighton Court will occur in phases; to facilitate the first phase of redevelopment, RRHA/TCB is requesting the vacation of the existing full width maintenance easement and utility easement established when "Bunche Place" was closed to public use and travel by City Council Ordinance No. 97-183-199, adopted June 23, 1997.

Vacating of these maintenance and utility easements would allow the proposed development to move forward in a coordinated phased approach.

The vacating of these maintenance and utility easements will not negatively impact the local City transportation network. Other reviewing administrative agencies offered no objections to the easement vacation request.

The Department of Public Works offers no objections to the proposed vacating of the utility and maintenance easements 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 vacating of the utility and maintenance easements, 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 utility and maintenance easements 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 vacating area for this Ordinance to be valid.
3. The applicant(s)/owner(s)/successor(s) shall be responsible for surface storm water overflow in the vacated utility and maintenance easement areas.
4. 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.
5. 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 become null and void automatically.

Staff recommends approval of this ordinance.

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## **FINDINGS OF FACT**

### **SITE DESCRIPTION**

The property is an asphalt-paved cul-de-sac, approximately 38,250 square feet (0.9 acres) in area, located within the Creighton Court Development.

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

Multi-Family Residential Development

### **MASTER PLAN**

The Richmond 300 Master Plan designates the property 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." 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.

## **ZONING**

R-53 Multi-Family Residential

## **SURROUNDING AREA**

The area includes primarily multi-family uses. Oakwood Cemetery is located directly south of the subject property.

### **Staff Contact:**

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