



CITY OF RICHMOND

Department of Planning & Development Review *Staff Report*

Ord. No. 2016-232: To close to public use and travel a portion of the right of way for a public alley containing 6,557± square feet as shown enclosed with bold lines, and to authorize the Chief Administrative Officer to accept the dedication of a new turnaround as shown with bold lines and hatching on a plan prepared by the Department of Public Works and designated as DPW DWG. No. N-28712 dated June 16, 2016 (Project No. N-858-AC) entitled "Proposed Closing to Public Use and Travel of a Portion of an Alley and a Turnaround, and the Dedication of a New Turnaround in the Block Bounded by Brookland Parkway, Brook Road, Sherwood Avenue, I-95/I-64 and Robin Hood Road" at the request of the applicant.

To: City Planning Commission
From: Land Use Administration
Date: October 3, 2016

PETITIONER

Emmanuel O. Adediran, Department of Public Works

LOCATION

City of Richmond

PURPOSE

To close to public use and travel a portion of the right of way for a public alley containing 6,557± square feet as shown enclosed with bold lines, and to authorize the Chief Administrative Officer to accept the dedication of a new turnaround as shown with bold lines and hatching on a plan prepared by the Department of Public Works and designated as DPW DWG. No. N-28712 dated June 16, 2016 (Project No. N-858-AC) entitled "Proposed Closing to Public Use and Travel of a Portion of an Alley and a Turnaround, and the Dedication of a New Turnaround in the Block Bounded by Brookland Parkway, Brook Road, Sherwood Avenue, I-95/I-64 and Robin Hood Road" at the request of the applicant.

SUMMARY & RECOMMENDATION

The requested closure is for an alley that served parcels sited on Brookland Parkway that are now owned by the VCU Health System Authority and parcels sited on Sherwood Avenue that are currently occupied by the Crippled Children's Hospital (a non-profit whose sole member is the Authority). This alley is unimproved and is no longer needed as it does not connect or potentially provide access to other public rights of way.

The Authority is currently constructing a new facility on portions of the property that they control at this location. They are requesting the closing to construct a parking lot to serve this new facility.

The new turnaround they are to dedicate will allow the use of the remainder of the alley that is not being closed to serve the purposes of the Luther Memorial School.

The value of the right of way to be vacated (6,557± sf) has been determined to be \$24,457.61 and is based on the assessed values of the adjacent parcels. This cost is customarily paid to the City by the owners of the properties that will 'receive' the closed right of way. In this case the fee which will actually be paid to the City has been reduced by \$1,652.39 due to the new turnaround area (443± sf) which will be dedicated to the City from lands owned by the applicant. The actual fee to be paid is \$22,805.22.

The closing of this alley will not adversely affect the remaining portion of the alley or its users and 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 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 identify and protect the rights of any public and/or private owners of utilities who may have a vested interest or facilities in subject right-of-way.
3. A twelve-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.
4. The applicant(s)/owner(s)/successor(s) shall be responsible for surface 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. The applicant(s)/owner(s)/successor(s) agrees to pay the City of Richmond for this public right-of-way, the sum of \$22,805.22.
7. The applicant(s)/owner(s)/successor(s) shall dedicate right of way for a turnaround to the City adjacent to the new end of the public alley as shown on the attached DPW drawing.
8. The applicant(s)/owner(s)/successor(s) is responsible for providing the Law Department with written evidence 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, twelve months after final approval of the ordinance, the ordinance will become null and void automatically.

The Department of Public Works recommends adoption of this ordinance.

FINDINGS OF FACT

Site Description

The alley is located on the block bounded by Sherwood Avenue to the south, Brook Road to the east, Brookland Parkway and Robin Hood Road to the north, and Interstate 95/64 to the west. The alley runs alongside the existing Children's Hospital of Richmond at VCU and through the future site of the Virginia Treatment Center for Children psychiatric facility.

Proposed Use of the Property

The requested closure is for an alley that served parcels sited on Brookland Parkway that are now owned by the VCU Health System Authority and parcels sited on Sherwood Avenue that are currently occupied by the Crippled Children's Hospital (a non-profit whose sole member is the Authority). This alley is unimproved and is no longer needed as it does not connect or potentially provide access to other public rights of way.

The Authority is currently constructing a new facility (Virginia Treatment Center for Children) on portions of the property that they control at this location. They are requesting the closing to construct a parking lot to serve this new facility.

The new turnaround they are to dedicate will allow the use of the remainder of the alley that is not being closed to serve the purposes of the Luther Memorial School.

Master Plan

The Richmond Master Plan designates this property as Institutional in the North Planning District. "Primary uses include institutional uses, such as places of worship, private schools, universities, museums, hospitals and other care facilities. Typically this land use category depicts larger scale uses, while small-scale uses of this type are incorporated within the predominant surrounding land use designations. Typical zoning classification that may accommodate this land use category" I-Institutional" (p. 135).

Zoning

In 2014, City Council approved the rezoning of the property from R-3 Single-Family Residential to I Institutional, for the purposes of developing the Virginia Treatment Center for Children.

Surrounding Area

The properties to the north and east are zoned R-3, and R-5 and are occupied by single-family residences. The properties to the west and south are zoned M-1 Light Industrial and are occupied by various industrial uses.

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Department of Public Works 646-0435