



CITY OF RICHMOND

Department of Planning & Development Review *Staff Report*

Ord. No. 2018-299: To close, to public use and travel, a portion of an alley adjacent to 105 North Rowland Street located in the block bounded by North Rowland Street, Grove Avenue, North Meadow Street, and Floyd Avenue consisting of 21± square feet, upon certain terms and conditions.

To: City Planning Commission
From: Land Use Administration
Date: December 3, 2018

PETITIONER

Bobby Vincent, Director DPW

LOCATION

Public Right of Way within a portion of an alley adjacent to 105 N Rowland Street in the block bounded by North Rowland Street, Grove Avenue, North Meadow Street and Floyd Avenue.

PURPOSE

To close to public use and travel public right of way for a portion of an alley containing + 21.4 square feet as shown enclosed with bold lines on a plan prepared by the Department of Public Works designated as DPW Dwg. No. N-28844 dated 9/7/2018 and entitled "PROPOSED CLOSING TO PUBLIC USE AND TRAVEL OF A SMALL PORTION OF AN ALLEY ADJACENT TO 105 N ROWLAND STREET WHICH IS IN THE BLOCK BOUNDED BY N ROWLAND STREET, GROVE AVENUE, N MEADOW STREET AND FLOYD AVENUE" at the request of the applicant.

SUMMARY & RECOMMENDATION

The owners of 105 N Rowland Street are abutted on the southern side by a 10 foot alley of which the first 60 feet from N Rowland Street is public right of way while the remainder is considered a private alley. Many years ago a concrete wall was constructed for their property which encroaches almost 15 inches into the alley over the rear + 17 feet of the public right of way.

An ordinance previously adopted in 1986 (#86-54-59) authorized the encroachment of the wall into the public right of way. At this time the owners of 105 N Rowland are requesting that the public right of way for the alley on which the wall encroaches be vacated so that this area can be incorporated with the remainder of their property and provide a clearer title.

There are four other parcels which abut either the public or private portions of the 10 foot alley and would have the right to use said alley. None of these parcels rely on the alley for primary ingress or egress and its main use is for access to back doors and for citizens to transport trash containers to the street for collection. This closure will not impact the current use of this alley.

Although none of the four parcels that abut the portion of right of way proposed for vacation, all have provided written consent supporting the closure.

The value of the right of way to be vacated (21.4 sf) has been determined to be \$811.92 (\$37.94 per square foot) 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.

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:

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.
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-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. The applicant(s)/owner(s)/successor(s) agrees to pay the City of Richmond for this public right-of-way, the sum of \$811.92.
7. 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.

FINDINGS OF FACT

SITE DESCRIPTION

A portion of an alley adjacent to 105 N Rowland Street in the block bounded by North Rowland Street, Grove Avenue, North Meadow Street and Floyd Avenue.

PROPOSED USE FOR THE PROPERTY

Private property

MASTER PLAN & ZONING

The Master Plan recommends Single-Family Medium-Density land use. Primary uses are single-family and two-family dwellings, both detached and attached, at densities of 8 to 20 units per acre. Includes residential support uses such as schools, places of worship, neighborhood parks and recreation facilities, and limited public and semi-public uses. Typical zoning classifications that may accommodate this land use category: R-5A, R-6 and R-7.

The current zoning for the public right-of-way is R-6, Single-Family Attached Residential District.

SURROUNDING AREA

The surrounding area is comprised of a mixture of residential and commercial uses.

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