



CITY OF RICHMOND

Department of Planning & Development Review *Staff Report*

Ord. No. 2021-108: To close, to public use and travel, a portion of an alley bounded by Hampton Street, Colorado Avenue, South Meadow Street, and Dakota Avenue, consisting of 2,296+/- square feet, upon certain terms and conditions.

To: City Planning Commission
From: Land Use Administration
Date: May 17, 2021

PETITIONER

Brian Copple, Department of Public Works, Right-of-Way Manager

LOCATION

The alley is situated between Hampton Street, Colorado Avenue, South Meadow Street, and Dakota Avenue, and is located within the Maymont neighborhood.

PURPOSE

To close to public use and travel public right of way for a portion of an alley in the block bounded by Hampton Street, Colorado Avenue, S Meadow Street and Dakota Avenue, containing 2,296 square feet, as shown on a plan prepared by the Department of Public Works designated as DPW Dwg. No. N-28942 dated 03/24/2021 and entitled "PROPOSED CLOSING TO PUBLIC USE AND TRAVEL OF A PORTION OF AN ALLEY IN THE BLOCK BOUNDED BY HAMPTON STREET, COLORADO AVENUE, S MEADOW STREET AND DAKOTA AVENUE" at the request of the applicant.

SUMMARY & RECOMMENDATION

The owners of the property at 1401 Hampton Street submitted a request to close to public use and travel a portion of an undeveloped City alley adjacent to their home. The applicant has been maintaining this undeveloped right of way for over 20 years by controlling the vegetation and any trash accumulation and now wish to properly close the right of way and acquire the property.

Public Works staff feel that closing of this City right of way will not negatively impact the local transportation network nor will the right of way be necessary for any future Capital Improvements. Other reviewing City agencies offered no objection to this proposed closing request.

The value of the right of way to be vacated (2,296 sf) has been determined to be \$15,085. (\$6.57 per square foot) and is based on assessed values of adjacent parcels. A fee for this amount is due to the City as a condition of this ordinance.

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 \$15,085.
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.

Staff recommends approval of the ordinance with the terms and conditions recommended by the Department of Public Works.

FINDINGS OF FACT

Site Description

The portion of the unimproved alley is situated directly to the south of the property with an address of 1401 Hampton Street and borders the east side of the Hampton Street right-of-way between Colorado Avenue and Dakota Avenue.

Proposed Use of the Property

Once vacated, the alley will become part of the property with an address of 1401 Hampton Street, which will continue to be used as a single-family dwelling.

Master Plan

Richmond 300 recommends a land use category of Residential for the property. Primary uses include single-family houses, accessory dwelling units, and open space. Duplexes and small multi-family buildings, institutional, and cultural uses are secondary uses that may be found along major streets.

Zoning & Surrounding Area

This property and properties to the east and south are located within the R-5 Single-Family Residential District. Properties to the east and south are improved with single-family dwellings. Maymont Park is located to the west and north of the property.

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