



CITY OF RICHMOND

Department of Planning & Development Review *Staff Report*

Ord. No. 2021-197 - To close, to public use and travel, an alley bounded by West 9th Street, Bainbridge Street, West 10th Street, and Porter Street, consisting of 1,025± square feet, upon certain terms and conditions.

To: City Planning Commission
From: Land Use Administration
Date: July 19, 2021

PETITIONER

Bobby Vincent Jr., Director, Department of Public Works

LOCATION

Public Alley in the block bounded by West 9th Street, West 10th Street, Bainbridge Street, and Porter Street.

PURPOSE

To close to public use and travel a public right of way for an alley in the block bounded by W 9th Street, Bainbridge Street, W 10th Street and Porter Street, containing 1,025 square feet, as shown on a plan prepared by the Department of Public Works designated as DPW Dwg. No. N-28959 dated 05/07/2021 and entitled "PROPOSED CLOSING TO PUBLIC USE AND TRAVEL OF AN ALLEY IN THE BLOCK BOUNDED BY W 9TH STREET, BAINBRIDGE STREET, W 10TH STREET AND PORTER STREET" at the request of the applicant.

SUMMARY & RECOMMENDATION

Urban Development Associates, LLC owns all of the properties in the block bounded by W 9th Street, Bainbridge Street, W 10th Street and Porter Street. Urban Development Associates previously received city approval of their plan of development (POD-069228-2020) for a high density apartment complex on this site. However, at this time the developer has decided to revise the development plans in order to provide a less dense residential development with "for sale" duplex units. This revision will require the developer to submit a new plan of development and subdivision plat for City review and approval.

There is an unimproved public alley running westerly off W. 9th Street for 102.5' within this block. To achieve the desired layout for this new project they are requesting the vacation of this public alley right of way. As part of the development they will construct two private alleyways within the block that will connect W 10th Street and W 9th Street. At the time of subdivision plat recordation the developer will dedicate easements to the City within these alleyways for the City to use over, under, and across for access, utilities, refuse collection, emergency services and any other city functions or services.

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 (1,025 sf) has been determined to be \$22,170.75 (\$21.63 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 (12)-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. 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 of ordinance adoption. Should approval of the Plan of Development be denied, this closure of the public right of way will not 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 \$22,170.75.
8. The applicant/owner must agree in writing that if any cobblestones are found in the alley that they will remove and preserve, and return of these cobblestones to the City.
9. 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.

FINDINGS OF FACT

SITE DESCRIPTION

The site consists of a public Alley in the block bounded by West 9th Street, Bainbridge Street, West 10th Street, and Porter Street, in the Manchester neighborhood.

PROPOSED USE FOR THE PROPERTY

Incorporation into a residential development consisting of two-family dwellings.

MASTER PLAN

The City's Richmond 300 Master Plan designates a future land use for this 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. 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)

This portion of the public right of way is also within the Plan's Downtown - Manchester Priority Growth Node which envisions the following development scenario:

"Manchester continues to increase in population and economic activity to support a thriving business corridor along Hull Street. The formerly industrial part of Manchester provides jobs as well as housing. Manchester is connected to South Richmond and the Downtown Core by a network of greenways along former railways, along roads, and along Manchester Canal. A variety of housing options in Manchester are available to low-, moderate-, and high-income individuals. Manchester's interconnected street grid is enhanced with street trees and improved infrastructure to support pedestrians, bicyclists, and transit riders." (p. 34)

ZONING

R-63 Multifamily Urban Residential

SURROUNDING AREA

The area includes mix of single-, two-, and multi-family residential, as well as, commercial and institutional uses.

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