



CITY OF HARRISONBURG COMMUNITY DEVELOPMENT

409 SOUTH MAIN STREET, HARRISONBURG, VA 22801

OFFICE (540) 432-7700 • FAX (540) 432-7777

May 2, 2022

**TO THE MEMBERS OF CITY COUNCIL
CITY OF HARRISONBURG, VIRGINIA**

SUBJECT: *Consider a request to close a public alley located between East Fairview Avenue and Port Republic Road*

**EXTRACT FROM MINUTES OF HARRISONBURG PLANNING COMMISSION
MEETING HELD ON: April 13, 2022**

Chair Finnegan said pursuant to the Virginia State and Local Government Conflict of Interests Act I make the following disclosure: I am an employee of James Madison University, the applicant, and I am able to participate in the discussion and adoption of a recommendation in this matter fairly, objectively and in the public interest; therefore, I will participate in the discussion and vote upon a recommendation in this matter.

Chair Finnegan read the request and asked staff to review.

Ms. Dang said the following land uses are located on and adjacent to the property:

- Site: Public alley right-of-way, zoned R-1
- North: Across East Fairview Avenue, vacant properties and single-family detached dwellings, zoned R-1
- East: Vacant properties and single-family detached dwellings, zoned R-1
- South: Across Port Republic Road, commercial properties and single-family detached dwellings, zoned R-3 and R-1
- West: Vacant properties and a parking lot, zoned R-1 and R-3

The City, on behalf of James Madison University, requests to close a 20 feet wide public alley right-of-way that is located between East Fairview Avenue and Port Republic Road. The Visitors of James Madison University owns all adjacent parcels. At this time, the University's plan for the alley is to repair and maintain it for continued access to the single-family detached dwelling at 25 East Fairview Avenue and the parking lot at 1230 South Main Street, which are both owned by the

University. If approved for closure, it is planned that the alley would be added to tax map parcel 18-P-1, which is addressed as 10 Port Republic Road.

University representatives have been informed that if trash service for the dwelling at 25 East Fairview Avenue is to continue, then the toter (trash can) must be brought to East Fairview Avenue on trash day. City records indicate that there are no water or sanitary sewer mains and no stormwater facilities within the alley. Harrisonburg Electric Commission and Columbia Gas both have utilities within the alley, Thus, easements will be reserved for their utilities.

Staff recommends approval of the alley closing request.

Chair Finnegan asked if there were any questions for staff.

Chair Finnegan said, to clarify, typically do alley closures, in general, to my memory, staff usually recommends against them. At least the more recent ones that we have had.

Ms. Dang said the other recent ones that we had were in neighborhoods where we thought there would be opportunity for the traditional neighborhood design that we have talked about where people could access the rear yards and park in the back using the alley. In this case, given the surrounding land uses existing there and the fact that the University owns all the adjacent parcels, we are of the opinion that we leave it up to them to determine. It is along Port Republic Road in a way unlike other common requests that we have gotten such as in the Northeast Neighborhood area. It is a different gridded pattern than what is available here.

Commissioner Armstrong asked when you say closing, are you talking about the end that abuts Port Republic Road would become no longer open? Is that what it means to close?

Ms. Dang said closure in planning language, I can see how it can be misunderstood. The intent for the City to close it is for the City to give up ownership of it. The University's intention is to keep it open at this point in time, as it serves the parking lot.

Commissioner Whitten asked does that alleyway go in just one direction? In other words, can you turn right off of Port Republic Road onto that alley to access that parking lot? When you come out of the parking lot, would you have to go out at Fairview Avenue, or can cars come back out onto Port Republic Road? That could create some traffic issues. I have never seen a car coming out of there.

Ms. Dang said it could.

Commissioner Whitten said I do not think it is a great idea. It seems like it should go one way to Fairview Avenue instead of both ways.

Ms. Dang said it is not marked to prohibit drivers from going...

Commissioner Whitten asked if we wanted to close it, could we say this is what we think would be the safest.

Mr. Fletcher said there is an arrow pointing in.

Councilmember Dent said when I drove it, I drove out to Port Republic Road. Only as I was about to exit did I see there is an arrow going in.

Chair Finnegan said when we say closure, we mean the City is giving up this land, not that we are blocking it off.

Councilmember Dent asked is that giving it up as in selling it?

Mr. Fletcher said it would no longer be owned by the City.

Chair Finnegan said I do not know the financial transaction that would be involved there. I mean, Mr. Fletcher's point, it would no longer be owned by the City.

Commissioner Baugh said they have to buy it from the City.

Chair Finnegan added as with other alley closures.

Councilmember Dent said I also wondered what is going on with that single-family house next door because I saw that JMU owns all the adjacent properties. You just answered that they are renting it to a family.

Commissioner Byrd said the last time we saw an alley closure it was surrounded by the same owner. I was for it because all the land around it was owned by the same person, and they are the one using it. This is not truly a residential section because if the University does not want to keep that one residence, they can decide to not do that. That is their purview. I would be in favor of closing this alley.

Chair Finnegan said this is ripe for redevelopment. It is a parking lot. I do not think it will be a parking lot for very long. In my mind, a parking lot is not the best and highest use of that section of property.

Commissioner Whitten said it stays full all the time, and the one across the street, the next block up on Main Street. It is still very residential.

Chair Finnegan said we had a presentation in perhaps 2018. Someone from JMU gave a presentation on the Master Plan.

Commissioner Whitten said they own the rest of it, so I do not see a problem with it except for that traffic pattern. I would like to see them make it one-way. It seems safer.

Commissioner Whitten moved to recommend approval of the alley closure.

Commissioner Orndoff seconded the motion.

Commissioner Armstrong said this is not greenspace and it does not change the walkability of this area because there is a sidewalk all along the north of Port Republic Road and it is very close to Main Street. For those two reasons I would support this.

Chair Finnegan said I agree with Commissioner Armstrong.

Chair Finnegan called for a roll call vote.

Commissioner Armstrong	Aye
Commissioner Baugh	Aye
Commissioner Byrd	Aye
Councilmember Dent	Aye
Commissioner Orndoff	Aye
Commissioner Whitten	Aye
Chair Finnegan	Aye

The motion to recommend approval of the alley closure request passed (7-0). The recommendation will move forward to City Council on May 10, 2022.