



CITY OF HARRISONBURG COMMUNITY DEVELOPMENT

409 SOUTH MAIN STREET, HARRISONBURG, VA 22801

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

May 3, 2021

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

SUBJECT:

Consider a request from Camp Darby LLC to close an undeveloped public alley located between parcels addressed as 245 and 285 East Washington Street

**EXTRACT FROM MINUTES OF HARRISONBURG PLANNING COMMISSION
MEETING HELD ON: April 14, 2021**

Chair Finnegan read the request and asked staff to review.

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

- Site: +/- 1,680 sq. ft. of undeveloped public alley, zoned M-1
- North: Across East Washington Street, industrial operations, zoned M-1
- East: Vacant parcel, zoned M-1
- South: Continued portion of the alley and single-family dwellings, zoned R-2
- West: Industrial operations, zoned M-1

The applicant, Camp Darby LLC, is requesting to close a +/- 10-foot-wide undeveloped public alley that runs perpendicular to East Washington Street between parcels addressed as 245 and 285 East Washington Street. The alley is +/- 168-feet in length. Although the property owners of 245 and 285 East Washington Street are listed as two different entities, Jocacila LLIC and Camp Darby LLC, respectively, both are owned by David Rao. Mr. Rao describes in his letter that he is “[a]pplying to purchase adjoining alley to provide parking for 285 E. Washington St.”

At the entrance to the alley at East Washington Street, the alley can be traversed over grass by a vehicle all the way through to East Johnson Street, where the alley becomes paved between two parking areas located on 274 and 276 East Johnson Street. There is also an alley that crosses the

subject alley, running parallel to East Washington Street and East Johnson Street that has vegetative growth that prohibits travel through portions of that alley.

Within the subject alley between 245 and 285 East Washington Street is a public sanitary sewer line. As part of staff's review of the subject request, the Department of Public Utilities indicated that they would investigate the public sanitary sewer line to determine whom it serves and if the sanitary sewer is determined to be active, then a public sanitary sewer easement must be reserved. No other utilities have been identified within the subject alley.

The applicant is aware that if City Council votes to approve closing the alley (first reading at City Council), the applicant is responsible for having a survey and plat prepared in order for the City Attorney to draft the ordinance to finalize the closure (second reading). The plat should show the portions of the closed alley being added to adjoining parcel(s) and the public sanitary sewer easement, if necessary. Once the applicant has submitted the funds to buy the public alley and the ordinance is drafted, the second reading can occur to finalize the closure.

In September 2018, City Council approved a similar request to close a portion of public alley between 211 and 245 East Washington Street.

Staff recommends approval of the alley closing request with the condition that the City reserve a public sanitary sewer easement if determined necessary by the Department of Public Utilities.

Chair Finnegan asked if there were any questions for staff.

Councilmember Dent said that building is the former Salvation Army building. As I understand it, that was bought and taken over by a new industrial operation, a local company founded to make PPE and other equipment. Is that the company that is looking to expand to have a parking lot associated with it?

Ms. Dang said that the PPE company is leasing space from the owner of the property. I will let the owner share what their plans are if the applicant is available to answer questions.

David Rao, 285 East Washington Street, called in support of his request.

Councilwoman Dent said that staff stated that the purpose is to add a parking lot. As it turns out there is an industrial operation leasing the building. Presumably, that would go forward with any leasing in the future. I did not realize that they did not own it, but you do. Is that the purpose, to create parking for the industrial use?

Mr. Rao said correct. There is currently one tenant in the building. The tenant is making masks. They started operations in October. They occupy about 7,000 square feet. The building is about 28,000 square feet. It is on a small lot with a small amount of parking. After buying the building, I acquired the adjacent lot to provide parking. Ms. Dang mentioned that my neighbor to the west had bought that alleyway, and that led me to pursue this closure.

Chair Finnegan asked if there were any questions for the applicant's representative. Hearing none, he closed the public hearing and opened the matter for discussion.

Chair Finnegan said that he is not crazy about alley closures generally. I drove by this. It looks like it could be a paper alley. It does not look like it is being used. This alley closure does not block closure to the alley off of Simms Avenue. If people want to use it, it seems that it is still accessible from Simms Avenue.

Ms. Dang asked if he was referring to the alley that runs parallel to East Washington Street.

Chair Finnegan said yes, the longer alley.

Ms. Dang said that the alley is available on paper. If you visit the site, there are trees in the way. It would have to be cleared to make it accessible.

Chair Finnegan said that, theoretically, if those trees were to be cleared and if people wanted access to that longer alley, it could still be accessed. What I am saying is that we are not closing off access to the longer alley.

Ms. Dang said that is correct.

Commissioner Whitten made a motion to recommend approval of the alley closure request, as presented.

Commissioner Orndoff seconded the motion.

Chair Finnegan asked for a roll call vote.

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

The motion to recommend approval of the alley closure request, as presented, passed (6-0). The recommendation will move forward to City Council on May 11, 2021.