



CITY OF HARRISONBURG COMMUNITY DEVELOPMENT

409 SOUTH MAIN STREET, HARRISONBURG, VA 22801

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To: Eric Campbell, City Manager
From: Adam Fletcher, Director – Department of Community Development and Harrisonburg Planning Commission
Date: December 8, 2020 (Regular Meeting)
Re: Alley Closing – Between 435-473 South Main Street and 270-288 South Liberty Street

Summary:

Consider a request from Trenton, Inc. and Bernard, LC to close +/- 7,245 sq. ft. of public alley located between 435, 445, 457, and 473 South Main Street and 270, 276, 282, and 288 South Liberty Street, which are identified as tax map parcels 25-J-4, 5, 6, 7, 16, 17, 18, 19, and 20, respectively. The portion of public alley runs perpendicular to Warren Street.

Staff and Planning Commission (5-2) recommended approval of the closure with an access easement.

Background:

The following land uses are located on and adjacent to the property:

- Site:** +/- 7,245 sq. ft. of public alley, zoned R-3
- North:** City Hall, green space, and city parking lots, zoned B-1
- East:** Funeral home and parking lots, zoned R-3
- South:** Funeral home and parking lots, zoned R-3
- West:** City parking lot and vacant parcels, zoned R-3

Key Issues:

The applicant is requesting to close an alley located in the downtown area. The alley is paved, is +/- 37-feet in width and runs parallel to South Main Street and South Liberty Street. The entrance to the alley begins at Warren Street and runs +/- 211-feet south until it reaches a dead end. Nine parcels abut the alley. Two of the nine parcels (tax map parcels 25-J-19 and 20) are owned by the City and are used for parking for City Hall. Five of the nine abutting parcels (tax map parcels 25-J-5, 6, 7, 16, 17, and 18) are owned by Trenton, Inc. and one abutting parcel (tax map 25-J-4) is owned by Bernard LC. The applicant's representative describes that Trenton, Inc. and Bernard LC are related entities.

The applicant's letter describes that "[t]he requested closure will also allow the Applicant to add the land comprising the existing alley to its adjoining parcels to foster future development opportunities."

Both the applicant and City staff agree that if the alley is closed, then an access easement would be reserved by the City to serve the parcels identified as tax map parcels 25-J-19 and 20, where the City

parking lot is located. Staff recommends reserving a 20-foot wide access easement for two-way vehicular traffic and for the length of the access easement to run from Warren Street to include the limits of the current entrance into the parking lot (approximately 75 feet in length).

Within this alley is a public sanitary sewer line that had served structures that are no longer existing on the adjacent parcels. As part of staff's review of the subject request, the Department of Public Utilities investigated and confirmed that the public sanitary sewer line is inactive, and therefore, an easement for the sanitary sewer line is not necessary. There are no other utilities within the public 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 parcels and the access easement. 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.

Staff recommends approval of the alley closing request with the condition that the City reserve an access easement as described above.

Environmental Impact:

N/A

Fiscal Impact:

N/A

Prior Actions:

N/A

Alternatives:

- (a) Approval of the alley closing request with no access easement;
- (b) Approval of the closure with an access easement; or
- (c) Denial of the alley closing request.

Community Engagement:

The property was posted with signage advertising the request for both Planning Commission and City Council.

In addition, adjoining property owners were notified of the City Council's public hearing; a notice of City Council's public hearing was provided on the City's website at <http://www.harrisonburgva.gov/public-hearings>; and the request was published in the local newspaper twice advertising for City Council's public hearing.

Recommendation:

Staff recommends approval of the alley closing request with the condition that an access easement be reserved for the City.

Attachments:

1. Extract from Planning Commission
2. Site maps
3. Application, applicant letter, and supporting documents
4. Exhibit – Proposed alley closure and location of access easement
5. Public comments received as of November 5, 2020

Review:

Planning Commission recommended (5-2) approval of the alley closing request with the condition that an access easement be reserved for the City.