

MEMORANDUM

To: Planning Commission

From: Kali Casper, AICP, Town Comprehensive Planner *KC*

Date: June 15, 2018

Subject: ROW18-0001 - Request to vacate approximately 25,815 square feet of Town-owned Right-Of-Way known as Snyder Lane between Hunt Club Road and Patrick Henry Drive by Joe Sherman of Reliant Group Management (applicant).

SUMMARY OF REQUEST

Nature of Request: Vacation of Town-owned Right-of-Way

Property Location: Snyder Lane between Hunt Club Road and Patrick Henry Drive

Adjacent Tax Parcel Numbers: 196-A-8

Parcel Size: ±25,815 square feet (according to application)

Present Zoning District: RM-48 Medium-Density Multiunit Residential

Present Use: Existing dead-end street with access to Terrace View parking and buildings

Surrounding Uses: North: Patrick Henry Drive; The Village Apartments
East: Terrace View Apartments
South: Terrace View Apartments
West: Terrace View Apartments

Proposed Zoning District: Planned Residential

Neighborhood Meeting: 6:00 pm, Thursday, May 31, 2018

DEVELOPMENT APPLICATION AND BACKGROUND

Terrace View Apartments is currently a multiunit residential dwelling development bound by Patrick Henry Drive on the north, Toms Creek Road on the west, and various multi-family residential developments on the south and east sides. The existing development and proposed redevelopment is discussed in the application and staff report for RZN 18-0005.

This application is a request to vacate the Town-owned right-of-way known as Snyder Lane interior to the existing Terrace View development. The applicant indicates this area will be maintained as a private right-of-way within the proposed Planned Residential redevelopment. The application proposes

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Snyder Lane
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improvements to Snyder Lane including on-street parallel parking, pull-in parking, and a new full access connection to Patrick Henry Drive. This will create a through street between Patrick Henry Drive and Hunt Club Road.

Currently, there are improvements within this area to be vacated. There are no dwellings or buildings, but there is curb and gutter, utilities, landscaping and sidewalk. The application indicates that the uses after the vacation would be essentially the same with one additional connection to Patrick Henry Drive. In its current configuration, Snyder Lane only connects to Hunt Club Road and includes two-directional travel with on-street parallel parking.

The applicant has requested this vacation in order to convert the right-of-way to private and include the property within the overall boundary for the proposed rezoning request for Terrace View (RZN18-0005). The applicant has indicated that vacation of the right-of-way will allow for pull-in (perpendicular) parking areas adjacent to the proposed leasing centers. The proposed rezoning includes a 15' setback for all sides. If this area were not vacated, the proposed setback may need to be revised or the building may need to be redesigned to meet the setback proposed with the PRD.

Neighborhood Meeting

In consideration of this request, a neighborhood meeting was held on May 31, 2018, in conjunction with the neighborhood meeting for the proposed redevelopment in RZN18-0005. There were a number of citizen attendees. Most of the questions and comments at the meeting revolved around the proposed redevelopment, but several citizens did ask about the nature of the vacation request. Notes and sign-in sheets are found with the staff report for the RZN18-0005 Terrace View rezoning request.

EVALUATION CRITERIA

The Planning Commission is asked to evaluate the application based on the "Alley and Right-of-Way Vacation Process" in the Administrative Manual accompanying the Comprehensive Plan, particularly steps #2-5 listed below.

2. Vacate alleys and unbuilt rights-of-way only when the following three conditions are met:
 - The alley or unbuilt right-of-way is judged as not important to the Town's neighborhoods in terms of providing rear access for residents, space for utilities, and a means to provide Town services; **and**
 - The alley or unbuilt right-of-way is not important to the Town's present or future transportation network in terms of automobile, bicycle, or pedestrian traffic; **and**
 - The alley or unbuilt right-of-way does not serve as the primary access to parcels.
3. Vacate built right-of-way only when all three conditions of Paragraph 2 are met, with the presumption that the built right-of-way is important to the Town's neighborhoods and the Town's present and future transportation network.
4. Assess whether or not the alley or right-of-way could be used for another public function such as park land or public open space
5. If there is no other public function to which the property could be used, and the Town is able to claim an interest in the alley or right-of-way, and the applicant is willing to remit to the Town the value of the alley as computed in 1) above, consider disposition of the alley or right-of way.

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FINDINGS

Staff has provided the following findings to assist in the evaluation of the application:

By filling out and signing the application, the owners have certified that they comply with Section 21-114 of the Town Code: "Purchase by applicant as condition to vacation of street or other public way." The application can proceed through the public hearing process and will require Town Council approval.

With right-of-way vacation requests of commercial properties, an appraisal is typically required. The application does not state what the applicant might consider the existing value to be. However, with the recent transfer of ownership of the overall Terrace View development and with the request being interior to this development, the Town and applicant are in the process of determining the value of the right-of-way based on the purchase price of the property.

The right-of-way area contains two travel lanes, on-street parallel parking, utilities, sidewalk, curb and gutter, and landscaping. The proposed use of this area is essentially the same as the current use but with the additional connection to Patrick Henry Drive and pull-in parking spaces.

Staff understands the desire of the applicant to provide convenient, accessible parking for the proposed leasing centers. However, the configuration of the pull-in parking spaces as shown in RZN18-0005 present significant safety concerns whether the right-of-way is public or private. Staff is working with the applicant to mitigate these concerns while still meeting the applicant's intent. Through this coordination, the request to vacate the right-of-way may not be necessary.

Town engineering staff have provided comments with respect to water, sewer, and transportation. Utilities are currently provided within Snyder Lane right-of-way. If vacated, existing water utilities will become non-compliant and necessitate the dedication of public utility easements. Regarding transportation, the current configuration of Patrick Henry Drive in this area is considered to be a "superblock" (more than 800 feet in length) that significantly detracts from the street grid (see RZN18-0005 Appendix C: Development Strategies Memo). The proposed connection of Snyder Lane with Patrick Henry Drive is the first step to establishing a more connected street grid in this area. Consideration should be given to a future connection, bicycle and pedestrian at minimum, of Snyder Lane with Broce Drive at Stonegate Drive to the south. This right-of-way is important to the Town's present and future transportation network for pedestrian, bicycle, and vehicle access and there is a public interest in retaining the right-of-way.

SUMMARY

The Planning Commission is asked to consider and make a recommendation on the right-of-way vacation request. If approved by Town Council, the Mayor would execute a quit claim deed for the right-of-way and the right of way shall be vacated.

ATTACHMENTS

Application with Exhibit
Evaluation Criteria
Aerial Map

Revised 7/04

Office Use Only

Ordinance #: _____

Date Received _____

REQUEST FOR VACATION OF AN ALLEY OR UN-BUILT RIGHT OF WAY
TOWN OF BLACKSBURG, VIRGINIA

This application and accompanying information must be submitted in full before the vacation request can be referred to the Planning Commission and Town Council for consideration. Please contact the Planning and Engineering Department at 540-961-1126 for application deadline.

<u>Reliant Group Management</u>	
Name of Applicant(s)	
<u>601 California Street, Suite 1150</u>	<u>(415) 501-9600</u>
<u>San Francisco, CA 94108</u>	Phone
Address	<u>(415) 788-0435</u>
	Fax

Please list any additional parties included in this application:

None

Location of right of way to be vacated: (survey of property or legal description of boundary)

Snyder Lane between Hunt Club Road & Patrick Henry Drive (see attached Right
of Way exhibit)

Tax Parcel Number(s) of Property: 196-A 8

Square Footage of area to be vacated: 25,815 sf

If there is more than one applicant, how is property to be divided?

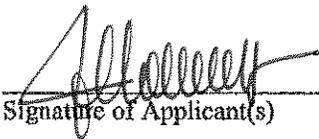
What is the intended use of the vacated property?

The vacated property will be converted to a private right of way and included in the overall property boundary for the proposed Terrace View Phase I PRD.

I, We, the owner(s), agent, or contract purchaser(s) described on this application do hereby apply for the vacation of the above described alley or un-built right of way and certify the following:

1. I, We, own property abutting the above described alley or un-built right of way.
2. I, We, will provide proof of notification of all property owners abutting the alley or un-built right of way in order to give them the opportunity to join in or file separate applications for the vacation.
3. I, We, agree that the value of the alley or un-built right of way is \$_____.
4. I, We, agree that if a formal appraisal is required, as established by the Comprehensive Plan vacation process, the cost of the appraisal will be paid to the Town of Blacksburg before acceptance of the application.
5. I, We, agree to pay to the Town of Blacksburg the above stated price if the alley or un-built right of way is vacated.
6. I, We, agree to accept a quit-claim deed to the property and accept responsibility for ascertaining what interest the Town of Blacksburg may have in the area if vacated.
7. I, We, understand that the Town of Blacksburg makes no warranties of title of property.

Please include an application fee of **\$500.00** to be applied to the cost of advertising, the cost of first class and certified mail postage to all adjacent properties and expense incidental to reviewing, publishing, and processing this application. Please make your check or money order payable to the **Town of Blacksburg**.



Signature of Applicant(s)

4/25/10

Date

OFFICE USE ONLY

_____ Comprehensive Plan Review

_____ Transit Review

_____ Utility Review

_____ Rear Property Access

_____ Recreation Review

_____ Appraisal

LEGAL DESCRIPTION OF RIGHT OF WAY VACATION

0.593 ACRE PARCEL OF PUBLIC RIGHT OF WAY TO BE VACATED

BEGINNING AT AN IRON ROD IN THE SOUTHERN RIGHT OF WAY OF PATRICK HENRY DRIVE AND THE WESTERN RIGHT OF WAY OF SNYDER LANE, THENCE TRAVELING N68°24'09"E A DISTANCE OF 50.37' TO AN IRON ROD IN THE EASTERN RIGHT OF WAY OF SNYDER LANE; THENCE ALONG THE SNYDER LANE RIGHT OF WAY LINE THE FOLLOWING FIVE (5) COURSES AND DISTANCES:

1. S14°39'40"E A DISTANCE OF 337.66' TO AN IRON ROD;
2. THENCE ALONG A CURVE TURNING TO THE RIGHT WITH AN ARC LENGTH OF 76.74', A RADIUS OF 95.94', A CHORD BEARING OF S08°14'09"W, AND A CHORD LENGTH OF 74.71' TO AN IRON ROD;
3. THENCE S31°09'20"W A DISTANCE OF 81.06' TO AN IRON ROD;
4. THENCE ALONG A CURVE TURNING TO THE LEFT WITH AN ARC LENGTH OF 18.06', A RADIUS OF 30.26', A CHORD BEARING OF S14°30'20"W, AND A CHORD LENGTH OF 17.80' TO AN IRON ROD;
5. THENCE ALONG A CURVE TURNING TO THE LEFT WITH AN ARC LENGTH OF 15.71', A RADIUS OF 10.00', A CHORD BEARING OF S48°02'42"E, AND A CHORD LENGTH OF 14.14' TO AN IRON ROD IN THE NORTHERN RIGHT OF WAY OF HUNT CLUB ROAD;

THENCE ALONG RIGHT OF WAY S86°57'14"W A DISTANCE OF 68.55' TO A POINT;

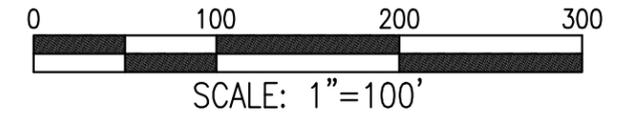
THENCE ALONG A CURVE TURNING TO THE RIGHT WITH AN ARC LENGTH OF 1.20', A RADIUS OF 289.05', A CHORD BEARING S87°07'14"W, AND CHORD LENGTH OF 1.20' TO AN IRON ROD IN THE NORTHERN RIGHT OF WAY OF HUNT CLUB ROAD AND THE WESTERN RIGHT OF WAY OF SNYDER LANE;

THENCE ALONG THE SNYDER LANE RIGHT OF WAY THE FOLLOWING FIVE (5) COURSES AND DISTANCES:

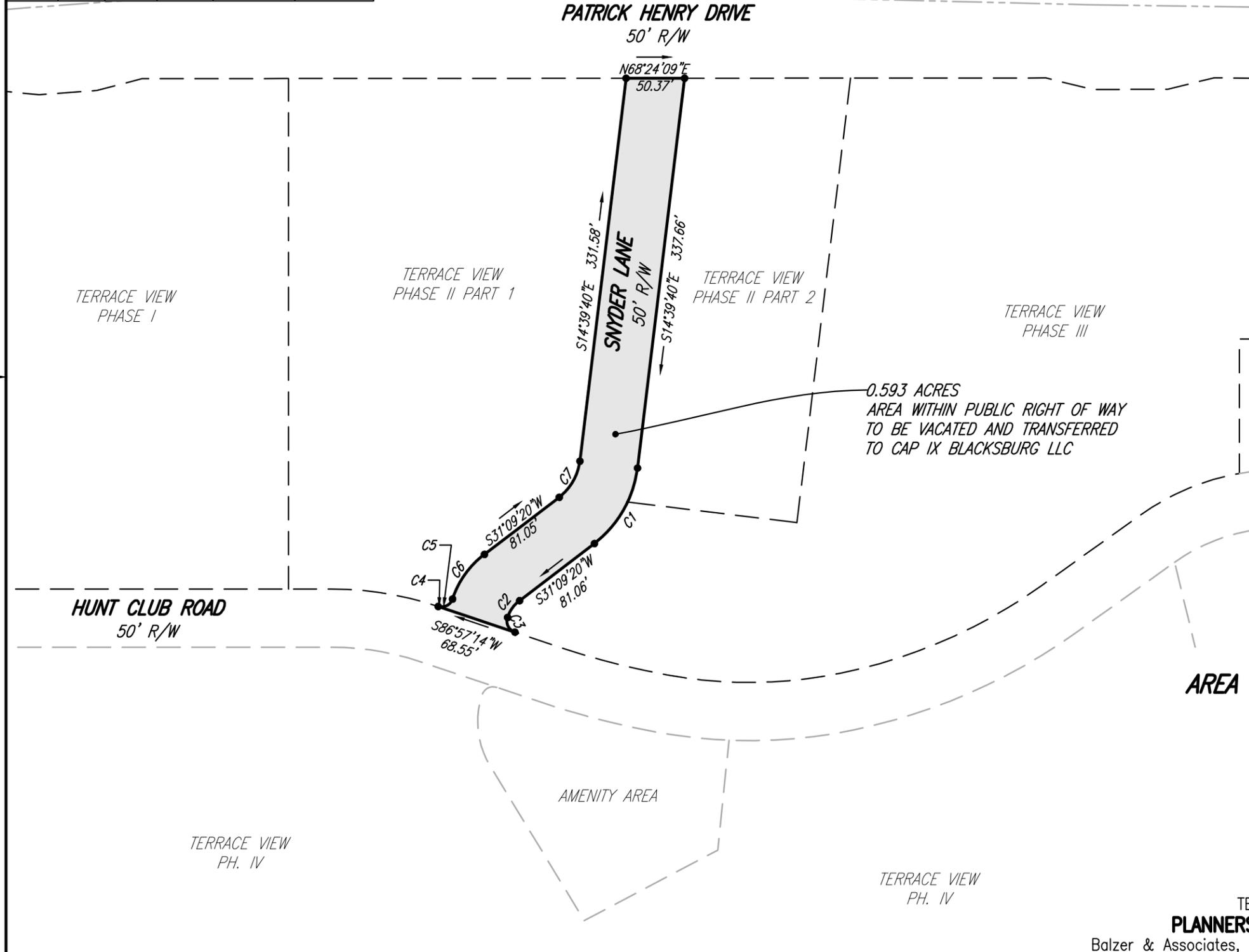
1. ALONG A CURVE TURNING TO THE LEFT WITH AN ARC LENGTH OF 15.44', A RADIUS OF 10.00', A CHORD BEARING OF N41°11'56"E, AND A CHORD LENGTH OF 13.95' TO AN IRON ROD;
2. THENCE ALONG A CURVE TURNING TO THE RIGHT WITH AN ARC LENGTH OF 47.91', A RADIUS OF 80.26', A CHORD BEARING OF N14°03'20"E, AND A CHORD LENGTH OF 47.20' TO AN IRON ROD;
3. THENCE N31°09'20"E A DISTANCE OF 81.05' TO AN IRON ROD;
4. THENCE ALONG A CURVE TURNING TO THE LEFT WITH AN ARC LENGTH OF 36.78', A RADIUS OF 45.99', A CHORD BEARING OF N08°14'50"E, AND A CHORD LENGTH OF 35.80' TO AN IRON ROD;
5. THENCE N14°39'40"W A DISTANCE OF 331.58' TO THE POINT OF BEGINNING.

CURVE TABLE					
CURVE #	LENGTH	RADIUS	DELTA	CHORD BEARING	CHORD LENGTH
C1	76.74'	95.94'	45°49'56"	S8°14'09"W	74.71'
C2	18.06'	30.26'	34°12'00"	S14°03'20"W	17.80'
C3	15.71'	10.00'	90°00'04"	S48°02'42"E	14.14'
C4	1.20'	289.05'	0°14'18"	S87°07'14"W	1.20'
C5	15.44'	10.00'	88°29'13"	N41°11'56"E	13.95'
C6	47.91'	80.26'	34°12'00"	N14°03'20"E	47.20'
C7	36.78'	45.99'	45°49'00"	N8°14'50"E	35.80'

N/F
 THE VILLAGE AT BLACKSBURG, LLC
 TAX MAP #195-A-25
 PARCEL ID #030101
 INST. #2013006699



PRELIMINARY
 FOR REVIEW ONLY
 DO NOT RECORD



NOTES:

1. PROPERTY OWNERS OF RECORD: CAP IX BLACKSBURG C/O RELIANT GROUP MANAGEMENT
2. LEGAL REFERENCES: INST. #2017009867; P.B. 12 PG. 19
3. TOTAL AREA WITHIN PUBLIC RIGHT OF WAY TO BE VACATED AS SHOWN = 0.593 AC

**RIGHT OF WAY EXHIBIT
 FROM RECORDS SHOWING
 AREA WITHIN PUBLIC RIGHT OF WAY
 TO BE VACATED**

SNYDER LANE
 TOWN OF BLACKSBURG
 PRICES FORK MAGISTERIAL DISTRICT
 MONTGOMERY COUNTY, VIRGINIA
 DATE: MAY 1, 2018
 JOB #24170107.00
 SCALE: 1" = 40'
 SHEET 1 OF 1

TEL: 540-381-4290 FAX: 540-381-4291
PLANNERS ARCHITECTS ENGINEERS SURVEYORS
 Balzer & Associates, Inc. 448 Peppers Ferry Road, NW Christiansburg Va. 24073



• PLANNERS • ARCHITECTS
 • ENGINEERS • SURVEYORS

Alley and Right-of-Way Vacation Process

- 1) When requests for a vacation of an alley or unbuilt right-of-way are received by the Town,
 - ensure requirements for application contained in Town Code § 21-114 have been complied with.
 - make an assessment of the monetary value of the alley or unbuilt rights-of-way according to the general guidelines:
 - residential property value may be estimated according to current assessed values of adjacent property and square footage to be vacated; or
 - when the vacation allows for an additional buildable lot or when the property is non-residential, property value may be established by a formal appraisal; or
 - a formal appraisal may be required by Town Council; **and**
 - the applicant shall provide a statement of title concerning the alley or right-of-way (before and after the vacation), satisfactory to the Town Attorney; **and**
 - provide notification to all neighborhood representatives about the vacation request and associated public meetings; **and**
 - provide all adjacent property owners an opportunity to apply for an equal right-of-way; **and**
 - The cost of any formal appraisal or title research, as may be required, shall be the burden of the applicant.
- 2) Vacate alleys and unbuilt rights-of-way only when the following three conditions are met:
 - The alley or unbuilt right-of-way is judged as not important to the Town's neighborhoods in terms of providing rear access for residents, space for utilities, and a means to provide Town services; **and**
 - The alley or unbuilt right-of-way is not important to the Town's present or future transportation network in terms of automobile, bicycle, or pedestrian traffic; **and**
 - The alley or unbuilt right-of-way does not serve as the primary access to parcels.
- 3) Vacate built right-of-way only when all three conditions of Paragraph 2 are met, with the presumption that the built right-of-way is important to the Town's neighborhoods and the Town's present and future transportation network.
- 4) Assess whether or not the alley or right-of-way could be used for another public function such as park land or public open space
- 5) If there is no other public function to which the property could be used, and the Town is able to claim an interest in the alley or right-of-way, and the applicant is willing to remit to the Town the value of the alley as computed in 1) above, consider disposition of the alley or right-of way.
- 6) The disposition of an alley or right-of-way shall not be acted upon without public hearings before the Planning Commission and the Town Council, duly advertised, in accordance with the Virginia Code.
- 7) The disposition of an alley or right-of-way shall not be acted upon without public hearings before the Planning Commission and the Town Council, duly advertised, in accordance with the Virginia Code.

ROW18-0001 Snyder Lane Right-of-Way Vacation

-  Subject Properties
-  Parcels



Blacksburg TOWN OF
VIRGINIA

2017 Aerials provided by Pictometry
Town of Blacksburg, P&B Dept. 06-13-18

