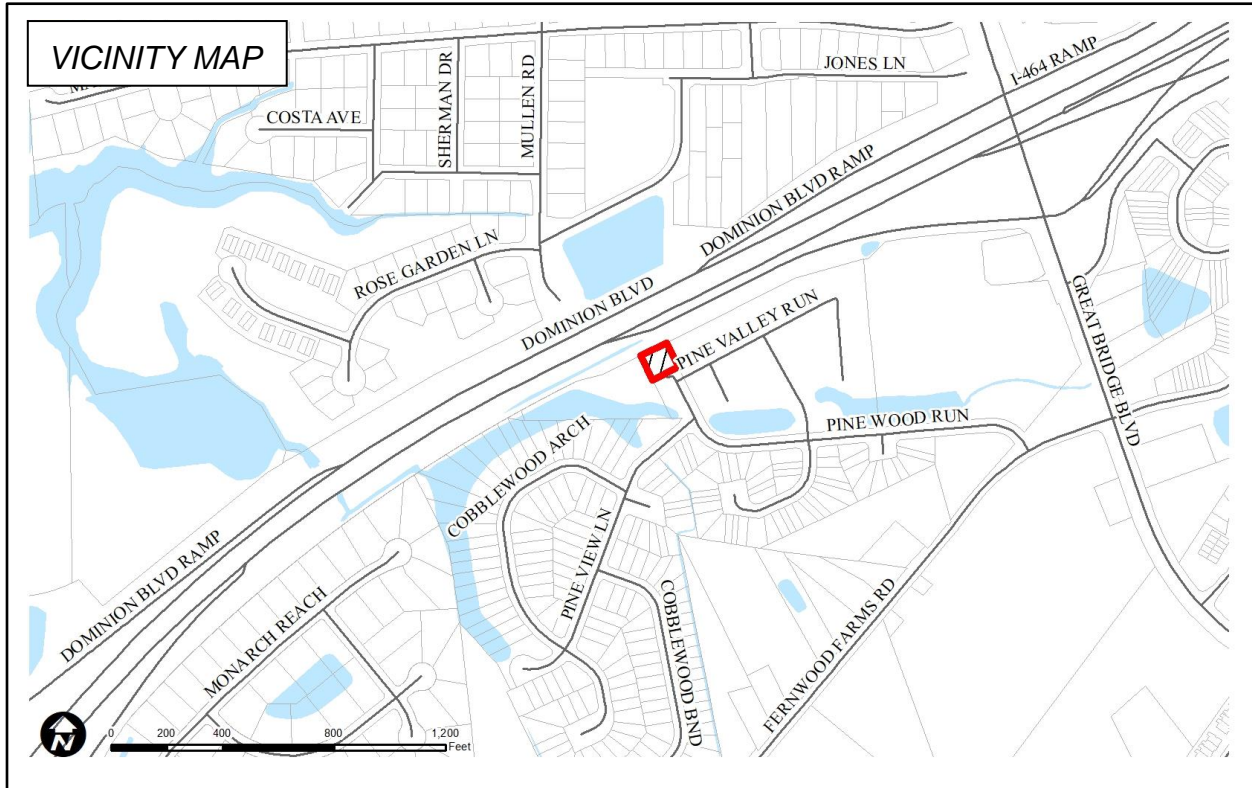


**PLN-STCL-2021-002**

*Pine Wood Run*



**Project Proposal:** A street closure application for fee simple acquisition of approximately 9,153 square feet of unimproved public right-of-way.

**Location / Planning Area:** City right-of-way adjacent to the east side of 901 Pine Wood Run between the terminus of Pine Wood Run and the Dominion Boulevard right-of-way. / Rivercrest

**Applicant:** Baker Grove Avenue Inc.

**Public Hearing Date:** September 8, 2021

**Staff Report Date:** August 25, 2021

**Property Owner:** City of Chesapeake

**Project Planner:** Bill McKay, AICP, Senior Planner

**STAFF RECOMMENDATION**

APPROVED    APPROVED WITH STIPULATIONS    CONTINUED    DENIED

## **FINDINGS:**

1. The proposed street closure is consistent with the transportation policies of the Chesapeake 2035 Comprehensive Plan, because the vacation will not negatively impact the City's transportation service standards.
2. The proposed street closure will have no negative effects on public safety or convenience because it is a paper street and not used for travel.
3. The proposed street closure will have no negative effects on any property in the vicinity because the only property adjacent to it has signed the petition indicating no interest in the street closure and the access for that property will remain on the public road being retained by the City.
4. The vacation of right-of-way will not adversely affect public or private utility facilities because public utility and drainage easements will be dedicated over the entire closed area.
5. The vacation of the right-of-way will promote a public purpose, by disposing of surplus public land that is no longer functional or necessary.

## **STAFF RECOMMENDATION:**

Based on the findings contained in this staff report, staff recommends that **PLN-STCL-2021-002** be **APPROVED** with the following stipulations:

1. The petitioner agrees to pay the City of Chesapeake through the Planning Department the sum of **\$19,678.95**, as determined by the City, within ten (10) calendar days of the final approval of the closure of the subject street, alley, easement, or public right-of-way by the Chesapeake City Council. Failure to remit this fee in a timely manner shall render the public right-of-way/street closure null and void.
2. The City of Chesapeake agrees to record the duly adopted ordinance of the Chesapeake City Council in the Chesapeake Circuit Court Clerk's Office upon timely receipt of the aforesaid payment, which will form basis for the title to the subject property in favor of the adjoining property owner.
3. The petitioner agrees to abide by any other conditions imposed by City Council in the vacation of the public right-of-way/street.
4. The City reserves a 20' public utilities easement centered over the existing City 8" water main on the proposed closed portion of Pine Wood Run. An exhibit on file with the Planning Department entitled, "Exhibit of Road Closure as shown in M.B. 155, PG. 198 Chesapeake, Virginia" dated June 14, 2021, depicts the public utilities easement. The public utilities easement shall be shown on the final resubdivision plat and the location and sufficiency shall be subject to the review

and approval of the Director of Public Utilities or designee. The public utilities easement shall also be recorded by easement agreement, on forms acceptable to the City Attorney, prior to the recordation of the resubdivision plat.

**UPDATE:**

This application was continued at the August 11, 2021, Planning Commission Public Hearing because it was incomplete. The applicant was unable to get the street closure consent form signed by the adjoining property owner. That form has now been submitted and the adjoining owner has no interest in participating, nor objection to the proposed street closure. Staff continues to recommend approval with stipulations.

**PREVIOUS STAFF REPORTS AND UPDATES:**

[Version dated August 2, 2021](#)