

MEMORANDUM

To: Planning Commission

From: Matthew Sampa, Planner I

Date: August 11, 2023

Subject: ROW23-0001 Request to vacate approximately 20,439 square feet of Town-Owned Right-of-Way (adjacent to Tax Parcel 347-8 1) at 2600 Research Center Drive by Gretchen Merix of Balzer & Associates (applicant) on behalf of Snyder-Hunt Company, LLP (owner).

SUMMARY OF REQUEST

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

Property Location: Rimrock Drive built street

Adjacent Tax Parcel Numbers: 347- 8 2; 347- 8 4A; 347- A 43A; 347- 21 A; 347- 21 1 – 24; 347- 22 A; 347-22 24 - 48

ROW Vacation Area Size: 0.47 acres; 20,439 square feet

Present Use: Public street

Surrounding Uses: North: School
East: Multi-family Residential & Commercial
South: Blue Ridge Cancer Care
West: WB 460 Bypass

Neighborhood Meeting: 4:00 pm, Wednesday, August 2, 2023

DEVELOPMENT APPLICATION

Snyder-Hunt, LLP and Georgia Anne Snyder Falkinham, currently own two adjacent parcels separated by Rimrock Drive. The larger 1.813 acre parcel features a multi-tenant building, built in 2015, with a medium sized parking lot. The building's current use is an oncology center, and the tenants include Blue Ridge Cancer Care and Healthcare Corporation of America. The smaller 0.833 acre parcel has one single-family home on site, along with a mini warehouse facility. The two parcels are split by, and accessed from, the 0.47 acre Rimrock Drive right-of-way. Rimrock Drive is accessed from Research Center Drive, and is a built street with public and private utilities. Mine, Me, and Us Montessori School on the corner of Research Center drive, also has frontage on Rimrock Drive.

The applicant is asking to vacate the Rimrock Dr. right-of-way to combine the vacated land with the two adjacent parcels for an expansion of the oncology center and parking lot. Combined, the total land area

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Rimrock Drive
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of the two parcels and right-of-way would equal 3.115 acres. The proposal would expand the building footprint by approximately 6000 square feet, and add parking spaces for a total of 141 spaces, with 17 spaces designated for Mine, Me, and Us Montessori School. A site plan for the expansion was submitted to the Town for review on July 12, 2023.

NEIGHBORHOOD MEETING

In consideration of this request, a neighborhood meeting was held on August 2nd, 2023. There were no community members in attendance.

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 and contained in the Evaluation Criteria document attached to this memo. Evaluation criteria below are numbered and staff responses follow.

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.

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.

There are no transportation connections envisioned in the Comprehensive Plan for Rimrock Drive. The right-of-way dead ends at WB 460 Bypass, and there are no plans to connect the right-of-way to the highway. It contains one sidewalk that begins at the dead end of the street, and continues along Research Center Drive. There are no proposed routes for bicycle or pedestrian infrastructure for the right-of-way on the Paths to the Future Map. Both parcels with driveway access from the right-of-way will be incorporated in the proposed expansion. As previously mentioned, the Mine, Me, and Us Montessori School parcel has frontage on the right-of-way, but do not oppose it being vacated. Given the size, shape, and location of

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the right-of-way area, it is unlikely to be used as park land or public open space. In discussion with the Town Attorney, staff have determined the value of the right-of-way by averaging the Montgomery County assessed land value of the adjoining parcels applied on a square foot basis (using deeded acreage information). The value of Rimrock Drive is \$226,206.89.

Utilities and Easements

The Rimrock Drive right-of-way contains existing public and private utilities. Town engineering staff have provided comments with respect to water, sewer, stormwater, sidewalk, and other private utilities:

Water

There is an existing public waterline in the right-of-way. A variance request to lessen waterline cover from 4' to 3.25' was requested with the submitted site plan. *Staff has indicated that the variance cannot be approved until the applicant verifies existing waterline depth.*

Sewer

There is existing public sewer in the right-of-way. *Staff recommends that the applicant obtain a Town public utility easement to provide for 7.5 feet of access on either side of the existing sewer for necessary maintenance or repair.*

Stormwater

It is assumed that the existing public storm network that is currently located on Rim Rock Dr. will become private as it will continue to serve the private drive only, once the vacation is approved.

Sidewalk

Public sidewalk currently exists from the edge of the right-of-way to Research Center Drive. *Staff recommends that the applicant dedicate a sidewalk easement for the existing portions of sidewalk serving Research Center Drive.*

Private Utilities

Private utilities exist within the right-of-way. *Staff recommends a PUE or private easement be dedicated for the private utilities utilizing this ROW.*

Plat and Site Plan

A site plan for the proposed expansion was submitted to the Town on July 12, 2023. A plat showing the vacated lot lines of the right-of-way must be approved before site plan approval. Additionally, the public hearing process must be completed before the approval of both documents.

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.

CONDITIONS

Staff and the Town Attorney recommend the following conditions if the ROW vacation is approved:

1. The applicant shall dedicate 15' perimeter public utility easements along the property line.
2. The applicant shall dedicate a public utility easement or private easement for private utilities contained in the right-of-way, or otherwise demonstrate that the private utilities will not be affected.

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Rimrock Drive

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3. The applicant shall dedicate a 15' wide public utility easement centered on the existing sewer for necessary maintenance or repair.
4. The applicant shall dedicate a sidewalk easement for the existing portions of sidewalk serving Research Center Drive.
5. The applicant shall vacate all existing interior lot lines.

ATTACHMENTS

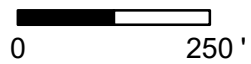
- Application with Exhibit dated July 3, 2018
- Evaluation Criteria
- Aerial Map
- Neighborhood Meeting Sign-In Sheet
- Engineering Memo (Sewer)
- Layout and Utilities sheet from Proposed Site Plan

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.

Rim Rock Dr. ROW23-0001

- Subject Area
- Parcels



Blacksburg TOWN OF
VIRGINIA



Name	Address	Email
Aretcher Menx (Balter)	80 College St Ste H C'burg	gmenx@balter.cc
Mike Snyder	1364 Dent Hill Rd. C'burg	msnyder@snyderandassoc.com
Kyle Henderson	1680 Brunswick Dr Blacksburg	khenderson@snyderandassoc.com

Please Print Legibly

MEMORANDUM

TO: Kafi Howard

FROM: Shawn Veltman, Town Engineer

DATE: August 2, 2023

SUBJECT: ROW-0001 – Blue Ridge Cancer Center

This memo provides plan review comments on a Request for Vacation of an Un-built Right-of-Way (Rimrock Road) submitted by the Snyder-Hunt Company, LLC and supported by an exhibit prepared by Balzer & Associates, dated of 4/13/23. The vacated ROW would be used to support the expansion of the Blue Ridge Cancer Center (see STP23-0013). This review is for sanitary sewers only.

ROW23-0001 Review Comments

The ROW that would be vacated by this application intersects Research Center Drive on the west and the Town currently owns and operates a public sanitary sewer that is also located along the west side of the ROW for Research Center Drive. It appears from the site plans submitted for the planned Cancer Center expansion that vacation of the ROW for Rimrock Road would result in portions of this sewer being located within the private property that would be created by the vacation. To preserve access to these sewers, the vacation should be conditioned upon the applicant providing the Town with a Public Utility Easement over the applicants property (including that created by this vacation) that, together with the existing ROW for Research Center Drive, provides the Town with at least 7.5 feet of access on either side of the sewer for necessary maintenance or repair.

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STANDARD SITE PLAN NOTES

- GENERAL CONTRACTOR TO CONFIRM THE LOCATION OF ALL EXISTING UTILITIES PRIOR TO ANY CONSTRUCTION OF PROPOSED IMPROVEMENTS.
- NO CONSTRUCTION FIELD CHANGES WITHOUT THE APPROVAL OF THE CONSULTING ENGINEER, OWNER, AND THE TOWN OF BLACKSBURG.
- G.C. TO ENSURE POSITIVE DRAINAGE AWAY FROM ALL BUILDINGS.
- ANY PAVEMENT DESTROYED OR DESTROYED DURING THE CONSTRUCTION PROCESS SHALL BE REPAIRED/REPLACED AS NECESSARY TO PRE-CONSTRUCTION CONDITIONS AT NO COST TO THE OWNER.
- ALL BUILDING DIMENSIONS SHALL BE COORDINATED WITH THE ARCHITECTURAL PLANS.
- PAVEMENT FLOW LINE RADIIUS OF 2 IS TYPICAL.
- ASPHALT SURFACES SHALL HAVE A MINIMUM SLOPE OF 2% AND CONCRETE SURFACES SHALL HAVE A MINIMUM SLOPE OF 1%.
- SIGNAGE AND PAVEMENT MARKINGS SHALL CONFORM TO THE MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES, LATEST EDITION WHERE APPLICABLE UNLESS SPECIFIED OTHERWISE.

LEGEND

- (B) BUMPER BLOCK
 - (C) CONCRETE SIDEWALK
 - (CG-12) CURB RAMP
 - (H) HANDICAP PARKING & SIGN
 - (L) LIGHT POLE*
- ASPHALT PAVING
 - CONCRETE
 - PARKING LOT LANDSCAPING
 - HEAVY DUTY ASPHALT PAVING
 - HEAVY DUTY CONCRETE
 - MILL AND OVERLAY EXISTING PAVEMENT
 - OPEN SPACE
- PROPERTY LINE
 - LIMITED ACCESS RIGHT-OF-WAY
 - ACCESSIBLE ROUTE

PAVEMENT MARKING NOTES:

- STANDARD PARKING STRIPING: SURFACES SHOULD BE CLEAN AND DRY STRIPING SHALL BE 4" WIDE, COLOR WHITE
- HANDICAP PARKING STRIPING: SURFACES SHOULD BE CLEAN AND DRY STRIPING SHALL BE 4" WIDE, COLOR "HANDICAP BLUE" SURFACES SHOULD BE CLEAN AND DRY SYMBOL SHALL BE MIN. 36"x36" SIZE, COLOR "HANDICAP BLUE"
- HANDICAP SYMBOL:

STANDARD UTILITIES NOTES

- G.C. SHALL COORDINATE THE EXACT SANITARY SEWER AND DOMESTIC WATER LATERAL, BUILDING TIE, IN LOCATIONS WITH THE ARCHITECTURAL PLANS.
- THE G.C. IS RESPONSIBLE FOR PROVIDING AND INSTALLING ALL CONDUIT ASSOCIATED WITH REQUIRED UTILITIES FOR THE PROPOSED BUILDING AND ANY NECESSARY UTILITIES ON-SITE SUCH AS LIGHTING, ELECTRICAL, ETC.
- THE G.C. SHALL COORDINATE TEMPORARY POWER FOR THE PROPOSED BUILDINGS.
- ALL UTILITY CROSSINGS SHALL HAVE A MINIMUM OF 18" OF SEPARATION, WHERE 18" OF SEPARATION CANNOT BE ACHIEVED, UTILITIES SHALL BE ENCASED IN CONCRETE PER TOWN OF BLACKSBURG STANDARDS. WATER LINES PASSING UNDER SEWERS SHALL BE PROTECTED BY PROVIDING ADEQUATE STRUCTURAL SUPPORT FOR SEWERS TO PREVENT EXCESSIVE DEFLECTION OF THE JOINTS, AND THE LENGTH OF BOTH THE WATER LINE AND SEWER LINE SHALL BE CENTERED AT THE POINT OF CROSSING SO THAT JOINTS WILL BE EQUIDISTANT AND AS FAR AS POSSIBLE FROM THE SEWER. REFER TO SECTION 1.541(VB.02) OF TOWN OF BLACKSBURG WATER STANDARDS.

WATERLINE

- MINIMUM DEPTH OF COVER ON ALL WATERLINES SHALL BE 4'0".
- ALL 6"-16" WATER MAINS SHALL BE CLASS 90 DUCTILE IRON, WITH PUSH ON JOINTS. NEW 4" WATER MAINS SHALL BE CLASS 90 DUCTILE IRON. SERVICE LINES SHALL BE TYPE K COPPER OR ALTERNATIVE APPROVED BY THE TOWN OF BLACKSBURG.
- CONTRACTOR SHALL BE RESPONSIBLE FOR THE INSTALLATION OF SERVICE LINES. ALL METERS AND METER BOXES SHALL BE SET BY TOWN PERSONNEL AT OWNER'S EXPENSE.
- CONNECTION TO EXISTING WATERLINE SHALL BE DONE BY TOWN OF BLACKSBURG AND AT OWNER'S EXPENSE.
- CONTRACTOR SHALL COORDINATE INSTALLATIONS AND REQUIRED LOCATIONS.
- THE TOWN SHALL BE NOTIFIED PRIOR TO BEGINNING WORK. ONLY TOWN PERSONNEL SHALL OPERATE EXISTING VALVES.
- PRESSURE TESTING SHALL BE PERFORMED IN ACCORDANCE WITH AWWA 6800 BY CONTRACTOR. TOWN PERSONNEL WILL WITNESS AND SHALL BE PROVIDED WITH TEST RESULTS. TOWN SHALL PROVIDE TEST RESULT FORMS. FLUSHING AND DISINFECTION SHALL BE PERFORMED BY CONTRACTOR IN ACCORDANCE WITH LOCAL HEALTH DEPARTMENT REGULATIONS.
- EACH JOINT OF PIPE SHALL BE DEFLECTED TO MAINTAIN PROPER ALIGNMENT. DEFLECTION MUST STAY WITHIN MANUFACTURER'S RECOMMENDATIONS, OTHERWISE AN ELBOW AND THRUST BLOCK SHALL BE USED.

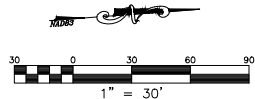
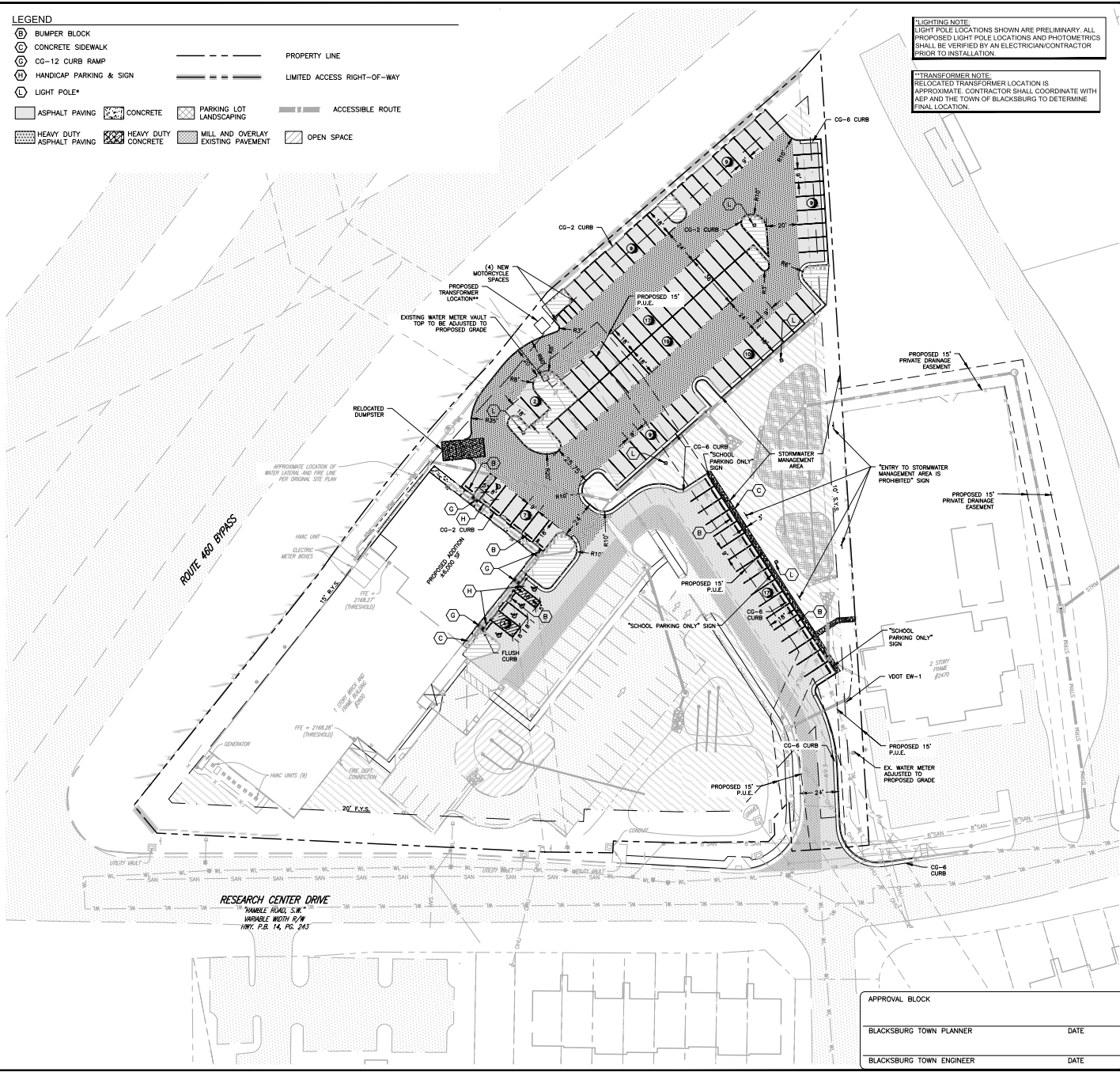
SANITARY SEWER

- MINIMUM DEPTH OF COVER ON ALL GRAVITY SEWER MAINS SHALL BE 3'0".
- ALL GRAVITY SEWER MAINS SHALL BE 8" SDR 35 PVC, OR EQUIVAL, UNLESS OTHERWISE NOTED.
- ALL GRAVITY SEWER MAINS SHALL BE WITHIN TOWN RIGHTS OF WAY OR EASEMENTS.
- CONTRACTOR SHALL CORE EXISTING MANHOLES, PROVIDE A WATERIGHT FLEXIBLE BOOT, AND RESHAPE EXISTING MANHOLE INVERTS.
- SANITARY WASTE LINES FROM BUILDING SHALL BE A MINIMUM 4" PVC (MIN. SLOPE 2.08%) OR 6" PVC (MIN. SLOPE 1.04%). SEE ARCHITECTURALS. SANITARY SEWER LATERALS WITH PUBLIC EASEMENTS AND ROWS SHALL BE 8" PVC INSTALLED AT A MINIMUM SLOPE OF 2.08%.
- ALL LOWEST FLOOR ELEVATIONS WILL BE SERVED BY GRAVITY SEWER.

NOTE: UNDERGROUND UTILITY LINES SHALL BE INSTALLED IN ACCORDANCE WITH MINIMUM STANDARD 16. SEE SHEET C12.

LIGHTING NOTE:
LIGHT POLE LOCATIONS SHOWN ARE PRELIMINARY. ALL PROPOSED LIGHT POLE LOCATIONS AND PHOTOMETRICS SHALL BE VERIFIED BY AN ELECTRICIAN/CONTRACTOR PRIOR TO INSTALLATION.

TRANSFORMER NOTE:
RELOCATED TRANSFORMER LOCATION IS APPROXIMATE. CONTRACTOR SHALL COORDINATE WITH AEP AND THE TOWN OF BLACKSBURG TO DETERMINE FINAL LOCATION.



APPROVAL BLOCK	
BLACKSBURG TOWN PLANNER	DATE
BLACKSBURG TOWN ENGINEER	DATE

BALZER & ASSOCIATES, INC.
PLANNERS / ARCHITECTS / ENGINEERS / SURVEYORS
Roanoke / Richmond
New River Valley
Shenandoah Valley
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BLUE RIDGE CANCER CARE EXPANSION
2800 RESEARCH CENTER DRIVE
LAYOUT & UTILITY PLAN

PROJECT NO. 2419006.00

DRAWN BY: SJW
DESIGNED BY: GLMSJW
CHECKED BY: GLM
DATE: 7/10/2023
SCALE: 1" = 30'
REVISIONS:

C3