

CITY OF CHARLOTTESVILLE, VIRGINIA
CITY COUNCIL AGENDA



Agenda Date: August 15, 2022
Action Required:
Presenter: Lisa Robertson, City Attorney
Staff Contacts: Allyson Davies, Senior Deputy City Attorney
Title: **Preston Place Utility Easements**

Background

Preston Place Properties, LLC (“Landowner”) is seeking to clean up the boundary line fronting along Preston Place. To accomplish this, the Landowner has submitted two requests and an offer of dedication of land, each of which requires action of City Council.

1. Request to Vacate Existing Utility Easements—The Landowner is asking City Council to vacate utility easements currently located on Tax Map 5 Parcel 118.003, identified on the attached plat as “Revised TMP 5-118.003” and “New Parcel ‘A’”) (**See Plat 1, attached**). The easements were created by Deed 940, Page 653 recorded in the Charlottesville Circuit Court Clerk’s Office.
2. Request for Boundary Line Adjustment—The Landowner requests the City to relocate the boundary line along Preston Place, along the frontage of TMP Nos. 050118001, 050118002 and 050118003. (**See Plat 2, attached**). As part of this boundary line adjustment, the applicant wishes to dedicate 1,277 sq. ft. of their property to the existing Preston Place right-of-way. The applicants have also submitted a plat to vacate the existing public utility easements along this road frontage, and replace them with a new, larger public utility right of way. The dedications have been reviewed and approved by City staff.

Discussion

1. *Vacation of Utility Easements*—The request for vacation of existing utility easements is a disposition of the City’s interest in real property. City Council may approve the request, after conducting a public hearing on the request. Va. Code Ann. § 15.2-1800(B).

2. *Boundary Line Adjustment*—The boundary line adjustment sought by the Landowner would alter the existing right-of-way line for Preston Place. City Council may approve the alteration, after publication of newspaper notice and a public hearing. Virginia Code Ann. §15.2-2006. This proposed ROW alteration does not affect any landowner(s) other than Preston Place Properties, LLC.

Alignment with City Council's Vision and Strategic Plan

N/A

Community Engagement

Public hearing on these requests is required by Va. Code §15.2-1800 and §15.2-2006

Budgetary Impact

None

Recommendation

Staff recommends approval of the vacation of the existing utility easements, and of the alteration of the boundary line adjacent to Preston Place.

Suggested motion: "I MOVE the ORDINANCE vacating existing utility easements and altering the right of way boundary line for Preston Place"

Staff recommends acceptance of the dedication of additional right-of-way for Preston Place.

Suggested motion: "I MOVE the RESOLUTION accepting accepting the dedication and conveyance of an additional 1,227 square feet of public street right-of-way to be added to Preston Place."

Alternatives

Council may, by motion, deny any of the requested actions.

Attachments

1. Plat 1
2. Plat 2
3. ORDINANCE Vacating ROW line
4. RESOLUTION Accepting ROW