

From: lauragaylewilliams@gmail.com

To: plancomm@alexandriava.gov

I write to provide comments on the proposed vacation of the Kent Place/Russell Road right-of-way per the above reference Docket Item #5. My comments focus on whether the record supports a finding, under the February 2002 Vacation Policy, that the proposal provides a net public benefit.

I. The Staff Report analysis is limited to a transportation framework.

The Staff Report evaluates the vacation request primarily through a transportation and infrastructure lens—i.e., whether the right-of-way is needed for roadway or utility purposes. The parcel is described as a wooded, unimproved corridor connecting Kent Place and Russell Road and is acknowledged to have potential value as a pedestrian connection. While the site may not be suitable for formal park programming due to its size or topography, these characteristics are consistent with passive open space or green corridor uses. The report does not reflect evaluation of these potential public uses. The applicable standard considers whether the right-of-way is needed for a public purpose, which is broader than transportation use and encompasses other public functions, including pedestrian connectivity, open space, environmental protection, and neighborhood-scale passive use.

II. February 2002 Vacation Criterion Two is applied narrowly.

The conclusion that no reasonable future use exists appears to be based on the infeasibility of a roadway connection. This addresses only vehicular use. The second criterion of the vacation procedure states:

No reasonable use of the right-of-way could exist in the future, either for its original purpose or for some other public purpose. Reasonable use includes but is not limited to future roads, bike paths/trails, recreational facilities, open space, utilities, or environmental protection. (emphasis added).

The proposal reserves a 20-foot public access easement for potential pedestrian use. The presence of this reserved easement indicates that at least one reasonable future public use has been identified. If pedestrian connectivity is a sufficient basis to retain an easement, it undermines a conclusion that no reasonable public use exists for the corridor more broadly. As presented, the analysis does not demonstrate that all reasonable public purposes—including open space, environmental, and pedestrian uses—have been evaluated and excluded. Accordingly, the record does not reflect application of Criterion Two as written.

III. The public benefit finding is not evaluated comparatively.

The proposal would transfer the land to private ownership while reducing the public's interest from full ownership to a limited, nonpossessory access easement. Ownership preserves the full bundle of rights, including control, flexibility, and the ability to adapt the land to evolving public needs. An easement, by contrast, permanently narrows the public interest to a defined use and relinquishes broader control.

The Staff Report does not compare:

- * Retaining the parcel in public ownership, versus
- * Vacating the parcel with only a limited easement retained

The policy requires an affirmative evaluation of whether the proposed action provides a public benefit—not merely a determination that the land is no longer needed for its original purpose. Without a comparative analysis, the public benefit finding functions as a threshold conclusion rather than a demonstrated outcome. The analysis also appears to rely, in part, on the premise that proceeds from the vacation will support the Open Space Fund. However, monetary proceeds are not equivalent to retaining land in situ. Land suitable for neighborhood-scale open space or connectivity is finite, location-specific, and not interchangeable. Once disposed, it cannot be readily replaced in the same location or

context. Disposition therefore permanently forecloses broader public use options that would remain available under continued public ownership.

The primary effect of the proposal is to increase the developable area of adjacent private lots, while the public relinquishes ownership of land that could otherwise serve a neighborhood-scale open space or connectivity function. This also raises a question of consistency in how open space objectives are applied. In other contexts, private development is often required to dedicate land or provide access to advance open space and connectivity goals. Here, publicly owned land is evaluated for disposition once it is no longer needed for its original purpose, without fully addressing the second clause—“for some other public purpose.” The record does not explain how these approaches are reconciled or whether retention of publicly owned land in this instance would better align with the City’s stated open space objectives.

IV. The Staff Report does not reflect a full planning evaluation.

While multiple departments are identified as reviewers, the record does not reflect the substance of Planning or Recreation & Parks analysis. The report is predominantly engineering-based and focused on roadway feasibility and right-of-way disposition.

For a parcel with acknowledged pedestrian connectivity potential, as evidenced by the proposed public access easement, a complete evaluation would reasonably include planning-level analysis such as pedestrian network function, connectivity mapping, open space inventory considerations, and potential passive use value. The absence of such analysis suggests that the full range of public uses has not been evaluated prior to disposition.

More broadly, the evaluation of corridor-type land appears to vary depending on context. In some instances, similar spaces are recognized for their potential to support pedestrian connectivity or informal public use, while in others they are treated as surplus land suitable for disposition with only limited access retained. A more explicit and consistent framework for evaluating public value would help ensure that such decisions are applied uniformly.

V. Conclusion

The record demonstrates that the parcel is not needed for roadway purposes, its original function. However, the report does not reflect a comparative evaluation of whether retaining the parcel as public land—or using the land “for some other public purpose”—would provide greater public benefit than the proposed vacation. As currently presented, the record does not support a finding that the proposed vacation provides a net public benefit under the February 2002 Vacation Policy. Before approving the request, the Commission should consider whether the current record sufficiently evaluates the full range of potential public uses and supports the required affirmative finding.