

***Vacation #2023-00004 and #2025-00009  
2800 and 2702 Russell Road***

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<b>Application</b>	<b>General Data</b>	
<b>Request:</b> Public hearing and consideration of a request to vacate 7,620 square feet of an unimproved portion of the Kent Place right-of-way at the intersection of Russell Road, which is adjacent to the southern property line of 2800 Russell Road and northern property line of 2702 Russell Road.	<b>Planning Commission Hearing:</b>	April 07, 2026
	<b>City Council Hearing:</b>	April 18, 2026
<b>Addresses:</b> 2800 Russell Road & 2702 Russell Road	<b>Zone:</b>	R-8/Residential
<b>Applicants:</b> 2800 Russell Road, LLC (VAC2023-00004) & Ms. Shirley Indelicato (VAC2025-00009)	<b>Small Area Plan:</b>	North Ridge/Rosemont
<b>Staff Recommendation:</b> APPROVAL subject to compliance with all applicable codes and ordinances and the recommended conditions found in Section III of this report.		
<b>Staff Reviewers:</b> Brian Dofflemyer, P.E., Division Chief, Development Engineering, <a href="mailto:brian.dofflemyer@alexandriava.gov">brian.dofflemyer@alexandriava.gov</a> David Sharon, P.E., Development Review Manager, Development Engineering, <a href="mailto:david.sharon@alexandriava.gov">david.sharon@alexandriava.gov</a>		

**PLANNING COMMISSION ACTION, APRIL 7, 2026:**

This item was pulled from the Consent Calendar and heard before Docket Item #6. On a motion by Commissioner Dubé, seconded by Vice Chair Koenig, the Planning Commission voted to recommend approval of Vacation #2023-00004 and Vacation #2025-00009. The motion carried on a vote of 7-0.

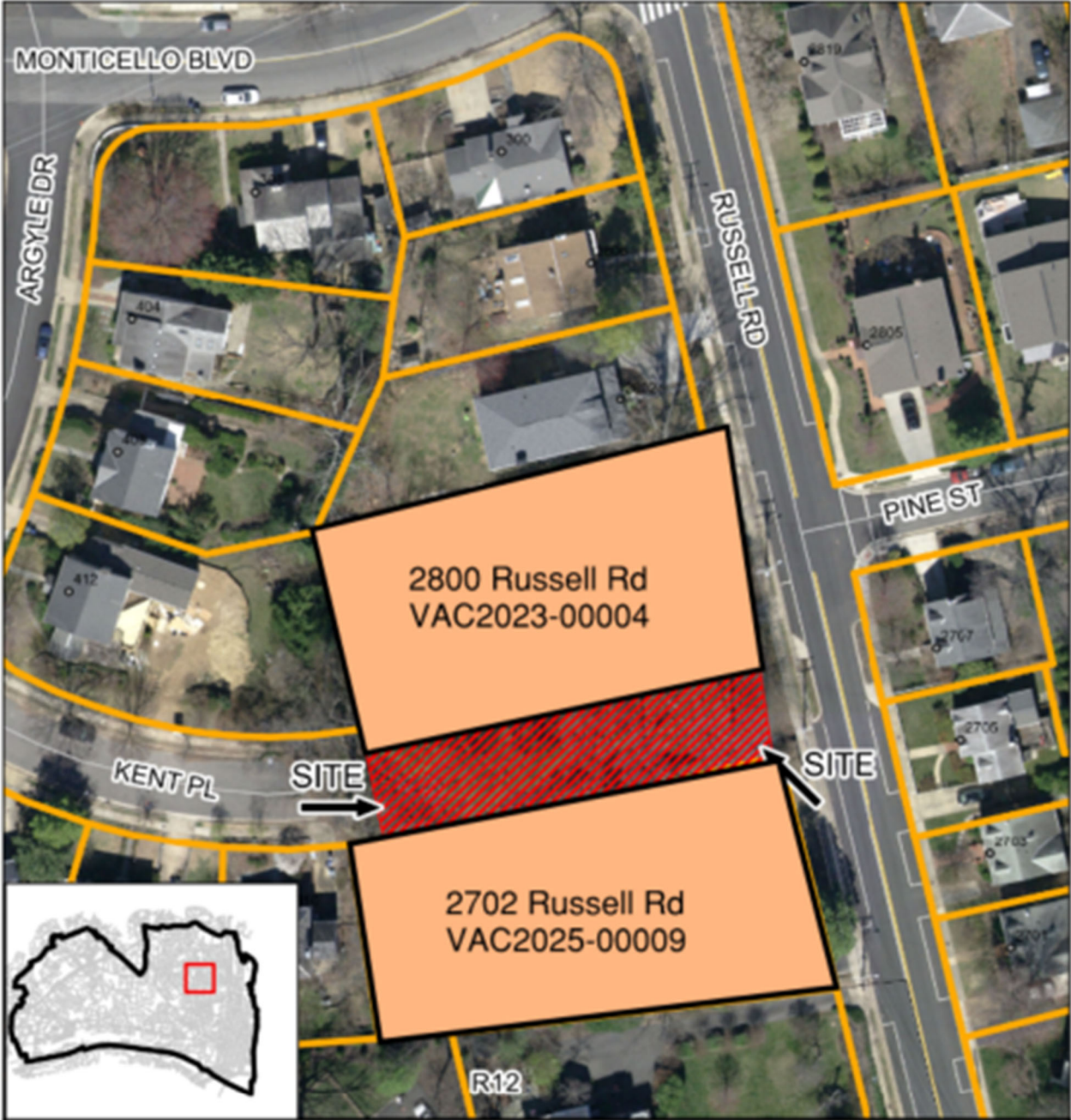
Reason:

The Planning Commission agreed with staff analysis.

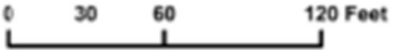
Discussion:

There were no public speakers, but in response to a letter from the public, the Commission inquired as to how opportunities for parks and open space were evaluated. Staff noted that Recreation, Parks, and Cultural Activities is included in the review of vacation requests. This space is not included in the Open Space Master Plan nor is it adjacent to existing park space. Additionally, conversion of right-of-way to open space can potentially require condemnation and compensation, since the use of the land is being changed from its original purpose. Therefore, the proposal to maintain a ped/bike easement was seen as appropriate to accommodate potential future needs.

The Commission inquired about the Public Benefit criteria with staff indicating that the Open Space payment and a reduced maintenance burden being the benefits provided to the public if the vacation were to be approved.



VAC2023-00004 & VAC2025-00009  
**Kent Place and Russell Road**  
(Adjacent to 2702 and 2800 Russell Rd)



## **I. DISCUSSION**

The applicants, Ms. Shirley Indelicato and 2800 Russell Road, LLC, request approval of a vacation of the unimproved public right-of-way adjacent to the subject properties.

### ***A. SITE DESCRIPTION***

The vacation area is an unimproved, wooded area of the Kent Place public right-of-way adjacent to the property lines of both 2702 and 2800 Russell Road. The area, shown in green in Figure 1, is approximately 40 feet wide by 190 feet long. It connects Kent Place and Russell Road. Figures 2 and 3 show images of the existing area of vacation.

The 2800 Russell Road property is developed with a two-story house built in 1940 with an overall site area of 19,720 square feet. The 2702 Russell Road property is developed with two-story house built in 1942 with an overall site area of 19,500 square feet. The adjacent properties are all residential. The property is within the North Ridge/Rosemont Small Area Plan and zoned R-8/Residential.

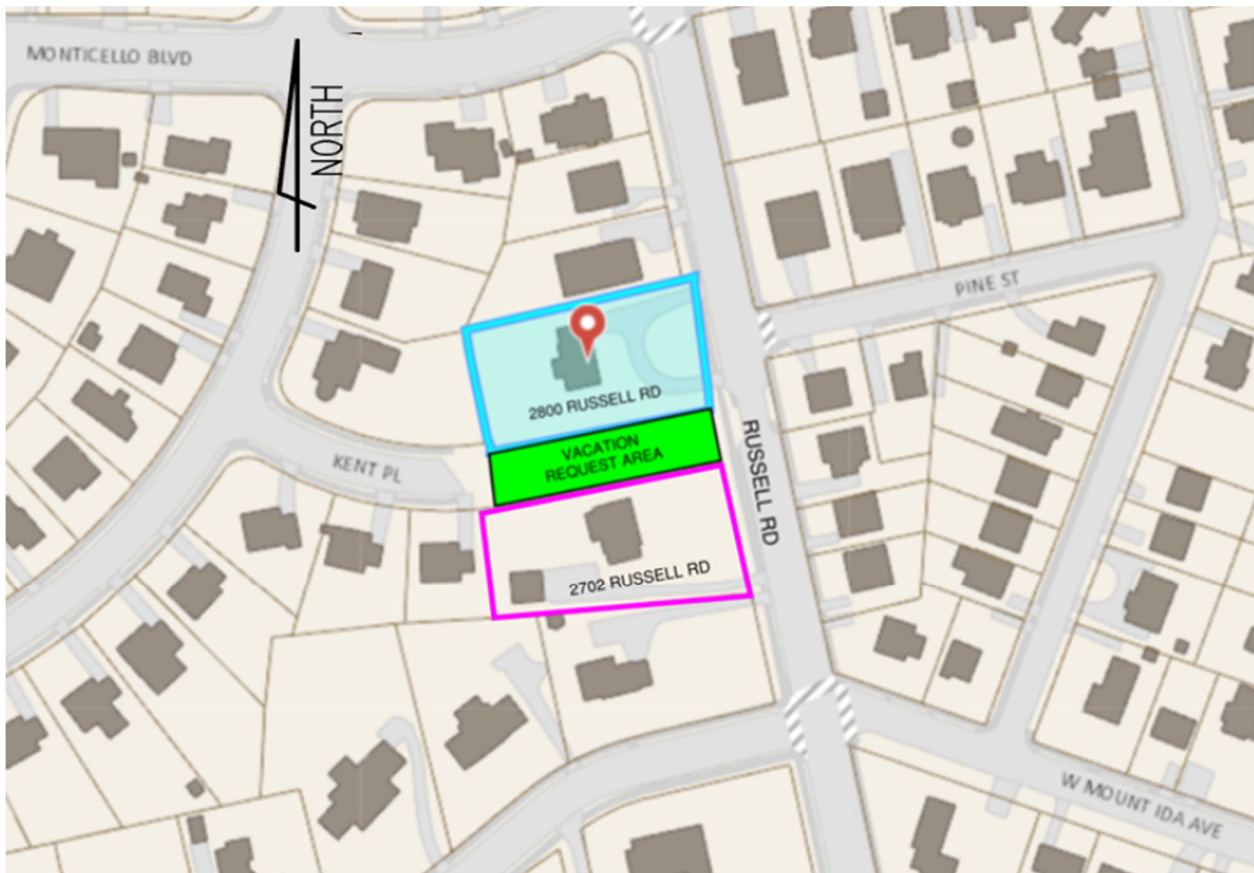


Figure 1: The portion in green shows the requested Vacation area of right-of-way (not to scale)



Figure 2: View of the right-of-way from the improved portion of Kent Place looking east towards the unimproved portion.

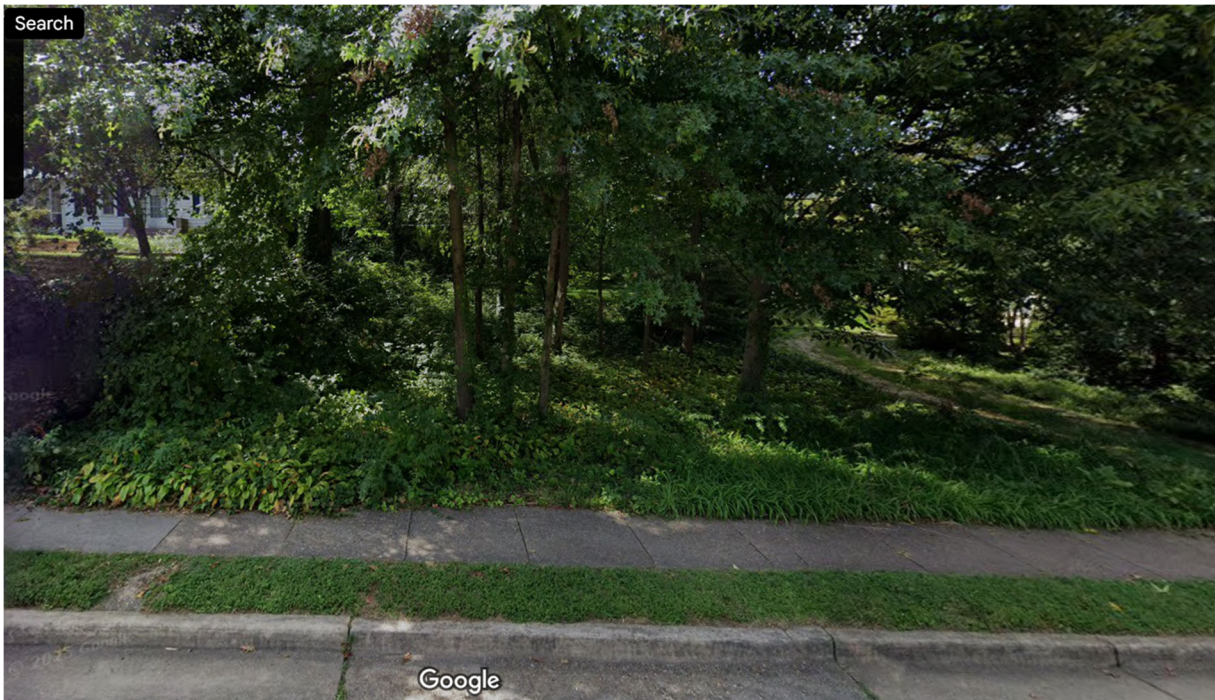


Figure 3: View of the right-of-way from Russell Road looking west towards the unimproved portion of Kent Place.

## ***B. BACKGROUND***

The City of Alexandria considers vacation of right-of-way applications to allow property owners to acquire unused or unnecessary public land, such as alleys or street segments. If the land is no longer needed for a public purpose and the vacation will have no adverse public effects, then the requestor may acquire the land for private development, building expansion, or improved property usage. This process enables the City to relinquish its interest in public land that is no longer needed and proceeds from a vacation are directed into the City's Open Space Fund.

The area of land in question would allow for a street connection between the Kent Place stub and Russel Road. The topography would make such a vehicular connection here steep at about 8% slope since the elevation drops from the end of the improved Kent Place roadway to the Russell Road intersection by approximately 16 feet over a length of 200 feet. Grades of roadways 8% and over are considered steep. For reference an accessible ADA ramp has a maximum slope of 8.33% and includes handrails with flat landing pads at regular intervals. The vehicular connection would create an offset connection or jog at Russell Road where intersections on the opposite side of the road are not aligned. According to national roadway design standards, offset connections are not best access management practices because they introduce safety conflicts and increase traffic flow disruptions. The physical site conditions and road network layout are not conducive to a vehicular connection over the right-of-way in question. Due to this location being near an elementary school, this area could provide a benefit of a future pedestrian connection.

## ***C. PROPOSAL***

The proposal would split the right-of-way down the center line and transfer the northern half to 2800 Russell Road and the southern half to 2702 Russell Rd, while reserving a 20-foot-wide public access easement in the center. While the City has no immediate plans to install a trail, the proposed easement would allow such an investment in the future. As shown in Figure 4 below, the area outlined in blue would be vacated to the owner of 2702 Russell Road and the area outlined in red would be vacated to the owner of 2800 Russell Road. The applicants have complied with the City staff recommendation to provide a 20-foot-wide public access easement for City benefit and future pedestrian access. The public access easement is shown in green, with a 10-foot-wide strip on each property located down the middle of the vacated right-of-way.

Both applicants are requesting development rights with the vacated area. The resulting lot size of 2702 Russell Road would increase to 23,310 square feet (19,500 square feet, currently), and the resulting lot size of 2800 Russell Road would increase to 23,530 square feet (19,720 square feet, currently), respectively. Both properties are located in the City of Alexandria R-8 Zoning District, which requires a minimum lot size of 8,000 square feet. The applicants would be eligible for subdivision under the current zoning regulations.

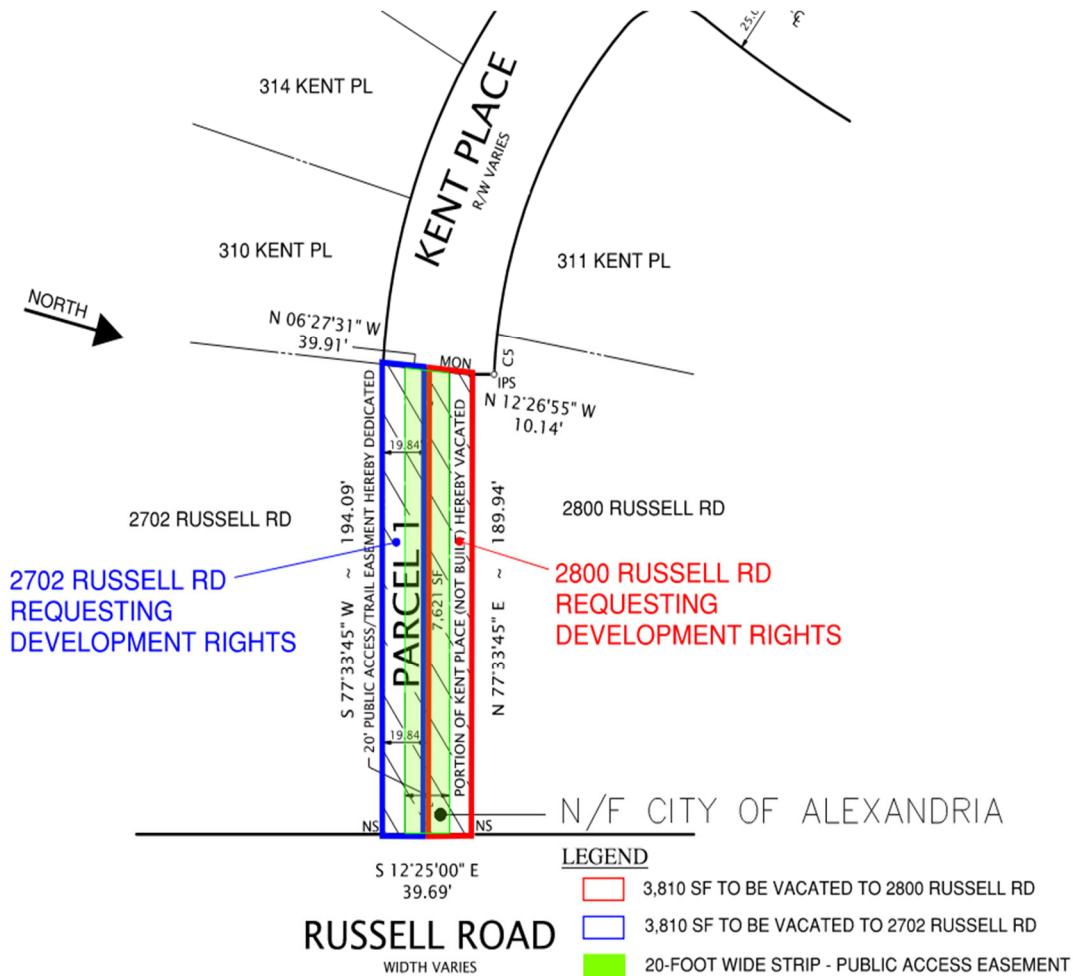


Figure 4: Vacation Proposal (not to scale)

### ***D. VALUE OF VACATED RIGHT-OF-WAY***

The Department of Real Estate Assessments has valued the land in question for the vacation of this 7,620 square feet of right-of-way. Staff have attached the memorandums from Real Estate Assessments (Attachment A and Attachment B), which discusses the vacation valuation for each lot in detail.

## **II. STAFF ANALYSIS**

The vacation request and existing and future public purpose of this land were reviewed by the Departments of Transportation and Environmental Services (T&ES), Recreation, Parks and Cultural Activities (RPCA), and Planning and Zoning (P&Z). Based on current City policies and plans, staff recommend approval of the applicants’ request to vacate a public right-of-way in this location. The site conditions make construction of a future street impractical and the provision of a 20-foot-wide public access easement reserves the City’s ability to construct a pedestrian connection.

Vacating the right-of-way would transfer maintenance responsibilities to the applicants allowing each applicant to keep up the vacated area as they would with the rest of their yard. For the public access easement maintenance, the applicants shall not install any permanent features such as walls or fences that would prevent the City and the public’s use of and movement across the easement. The City will maintain any pedestrian connection that City installs within this easement.

Vacation requests are reviewed against criteria established in the 2002 Vacation Memo. This memorandum was established by Department of Transportation & Environmental Services to establish criteria to determine when the vacation of the public right-of-way is appropriate. This vacation procedure and criteria is dated February 8, 2002, and included in Attachment C.

An analysis against those criteria is shown in the table below.

<b>Criteria</b>	<b>Staff Analysis</b>
1. There is no use of the right-of-way at the time the application was filed.	1. The current area is an unimproved right-of-way
2. No reasonable use of the right-of-way could exist in the future, either for its original purpose or for some other purpose.	2. The City does not plan on improving or extending the roadway and there are no known existing or future utilities that are anticipated through the vacated area. Additionally, one of the goals listed in the North Ridge/Rosemont Small Area Plan is to “discourage improvements to local streets when such improvements would bring through traffic into the study area”. The applicant is proposing a 20-foot-wide public access easement for the potential of future pedestrian trail through this area.
3. No portion of the public right-of-way shall be landlocked.	3. Approval of the vacation would not create a situation where public or private property would be landlocked. The requested vacation would not hinder access to streets or sidewalks, and personal property would not be affected.
4. No abutting property owner shall become landlocked.	4. Approval of the vacation would not create a situation where public or private property would be landlocked. The requested vacation would not hinder access to streets or sidewalks, and personal property would not be affected.
5. The vacation shall provide a public benefit.	5. The proposal includes a 20-foot-wide public access easement, which provides ample space for the City to provide a future trail for neighborhood residents.

### **III. STAFF RECOMMENDATION AND CONDITIONS**

Staff recommends **approval** of the requested vacation subject to compliance with all applicable codes and ordinances and the following conditions:

1. The applicant shall pay the fair market value for the vacated right-of-way, as determined by the Director of Real Estate Assessments. (P&Z)
2. Per the Vacation Policy requirements, the funds from the sale of the land shall be contributed to the Open Space Fund. (P&Z)
3. All applicants shall seek Council approval of the implementation ordinances at the same hearing and within 12 months of Council approval of the vacation. The Director of Planning and Zoning shall have the discretion to extend this time period. (P&Z)
4. The approved plat shall be recorded in the Land Records of the City of Alexandria. (P&Z)
5. Utility easements for all public and private utilities shall be provided within the vacated right-of-way and such easement are to be shown on the plat of consolidation. (T&ES)
6. The vacated area must be consolidated with the subject property. The public access easement and any utility easements are to be shown on the plat of consolidation. (T&ES)
7. The applicant shall be responsible for perpetual ownership, development and maintenance of the vacated right-of-way. (T&ES)
8. The deed for the public access easement shall include the following maintenance requirements: (RPCA)
  - a. The easement shall be maintained by the Owner and its successors and assigns as a public access easement and shall be open and accessible for use by the public.
  - b. The City shall have the right to construct a pedestrian path and supporting infrastructure through the easement and shall maintain any pedestrian connection that it constructs.

#### **IV. CITY DEPARTMENT COMMENTS**

1. The public access easement needs to be granted/reserved in a recorded deed of quitclaim or other instrument acceptable to the City. (T&ES)
2. The public access easement shall be located on both parcels. The private property owners would assume perpetual, affirmative maintenance responsibilities for the easement area. (RPCA)
3. The property owners may use the vacated land area to derive any increased above and below grade development rights for the lands adjacent to the vacated area, including increased floor area, subdivision rights or additional dwelling units. (P&Z)

**ATTACHMENT A**  
**(Vacation Real Estate Assessment,**  
**2702 Russell Road,**  
**VAC2025-00009)**

City of Alexandria, Virginia

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MEMORANDUM

**DATE:** JANUARY 12, 2025

**TO:** PAUL STODDARD, DIRECTOR  
DEPARTMENT OF PLANNING AND ZONING

**FROM:** WILLIAM B PAGE, ASSISTENT DIRECTOR OF FINANCE / REAL ESTATE

**SUBJECT:** VACATION OF AN UNINSTALLED SECTION OF KENT PLACE

**ADDRESS:** NONE ASSIGNED

**PROJECT:** VACATION #2025-00009 (REVISED)

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Per your request, we have reviewed the proposed vacation of City owned property, which is an uninstalled section of Kent Place located along the west side of Russell Road just south of its intersection with Pine Street in the Monticello Park area of the City of Alexandria, Virginia. The area to be vacated contains approximately 3,810 square feet and constitutes one-half of Kent Place. It has 20 feet of frontage on the west side of Russell Road and a depth of approximately 194 feet. **The proposal includes the provision for additional development rights.** The applicant is Shirley A. Indelicato, Trustee. The property was viewed on December 26, 2025.

The recipient parcel is adjacent to the south at **2702 Russell Road** (Tax Map 024.03-01-02). This property is zoned R-8 with a lot size 19,500 square feet. The existing single-family detached dwelling will be retained. Provided the vacation is approved, the lot area would increase to **23,310 square feet** (3,810 SF + 19,500 SF).

For real estate assessment purposes, the value of the proposed area to be vacated was estimated using the CY 2025 real estate assessment data for the neighborhood. The recipient parcel has a 2025 land assessment of \$1,079,072, or \$55.34 per square foot. Once assembled the land area will increase to 23,310 square feet. A search of the subject's immediate neighborhood produced four comparable detached lots with sizes ranging from 22,700 square feet to 23,748 square feet. Corresponding per square foot values range from \$48.91 per square foot to \$50.28 per square foot. Because the property has yet to be vacated, the estimated value as assembled is \$49.00 per square foot or \$1,142,190 (23,310 SF x \$49.00/SF).

Based on the foregoing, the implied undiscounted marginal value contribution of the 3,810 square feet to be vacated would be \$63,118 (\$1,142,190 SF – 1,079,072 SF).

**SIXTY-THREE THOUSAND ONE HUNDRED AND EIGHTEEN DOLLARS**

It is assumed that the vacated property will be legally consolidated with the recipient parcel and that a deed of assemblage including any restrictions will be recorded among the land records of the City of Alexandria. The analysis is also inclusive of the impact, if any, associated with the provision of a 20-foot public access/trail easement to be dedicated and shared under the provisions of this application and a separate vacation application (VAC 2023-00004) involving the other half of the uninstalled Kent Place parcel.

This analysis does not constitute a fully documented real property appraisal report and should not be purported as such. The analysis is based solely on CY 2025 land assessment data of similarly zoned parcels in the immediate area of the subject property and complies with City policies and guidelines regarding vacations. It is recommended that the applicant engage a fee appraiser for an independent third-party opinion of value in the event a detailed analysis is required.

**ATTACHMENT B**  
**(Vacation Real Estate Assessment,**  
**2800 Russell Road,**  
**VAC2023-00004)**

City of Alexandria, Virginia

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MEMORANDUM

**DATE:** JANUARY 5, 2025

**TO:** PAUL STODDARD, DIRECTOR  
DEPARTMENT OF PLANNING AND ZONING

**FROM:** WILLIAM B PAGE, ASSISTENT DIRECTOR OF FINANCE / REAL ESTATE

**SUBJECT:** VACATION OF AN UNINSTALLED SECTION OF KENT PLACE

**ADDRESS:** NONE ASSIGNED

**PROJECT:** VACATION #2023-00004 (REVISED)

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Per your request, we have reviewed the proposed vacation of City owned property, which is an uninstalled section of Kent Place located along the west side of Russell Road across from its intersection with Pine Street in the Monticello Park area of the City of Alexandria, Virginia. This is a revised analysis of one performed in May 2024 when the applicant (2800 Russell Road LLC) requested the entire uninstalled 7,620 square foot +/- right-of-way. The applicant is now requesting one-half, or approximately 3,810 square-feet, of the right-of-way with 20 feet of frontage on the west side of Russell Road and a depth of approximately 190 feet. **The proposal includes the provision for additional development rights.** The property was viewed on December 26, 2025.

The recipient parcel is adjacent to the north at **2800 Russell Road** (Tax Map 024.01-01-12). This property is zoned R-8 with a lot size 19,720 square feet. The existing single-family detached dwelling will be demolished in favor of new development. Provided the vacation is approved, the adjusted lot area would increase to **23,530 square feet** (3,810 SF + 19,720 SF).

For real estate assessment purposes, the value of the proposed area to be vacated was estimated using the CY 2025 real estate assessment data for the neighborhood. The recipient parcel has a 2025 land assessment of \$1,083,738, or \$54.94 per square foot. Once assembled the land area will increase to 23,530 square feet. A search of the subject's immediate neighborhood produced four comparable detached lots with sizes ranging from 22,700 square feet to 23,748 square feet. Corresponding per square foot values range from \$48.91 per square foot to \$50.28 per square foot. Because the property has yet to be vacated, the estimated value, as assembled is \$49.00 per square foot or \$1,152,970 (23,530 SF x \$49.00/SF).

Based on the foregoing, the implied marginal value contribution of the 3,810 square feet to be vacated is \$69,592 (\$1,152,970 SF – 1,083,378 SF).

**SIXTY-NINE THOUSAND FIVE HUNDRED AND NINETY-TWO DOLLARS**

It is assumed that the vacated property will be legally consolidated with the recipient parcel and that a deed of assemblage will be recorded among the land records of the City of Alexandria. The analysis is also inclusive of the impact, if any, associated with the provision of a 20-foot public access/trail easement to be dedicated and shared under the provisions of this application and a separate vacation application (VAC 2025-00009) involving the other half of the uninstalled Kent Place parcel.

This analysis does not constitute a fully documented real property appraisal report and should not be purported as such. The analysis is based solely on CY 2025 land assessment data of similarly zoned parcels in the immediate area of the subject property and complies with City policies and guidelines regarding vacations. It is recommended that the applicant engage a fee appraiser for an independent third-party opinion of value in the event a detailed analysis is warranted.

**ATTACHMENT C**  
**(Vacation of Public Right-of-Way Memorandum)**

City of Alexandria, Virginia

MEMORANDUM

DATE: FEBRUARY 8, 2002

TO: PHILIP SUNDERLAND, CITY MANAGER

FROM: RICHARD J. BAIER, P.E., DIRECTOR, TRANSPORTATION AND ENVIRONMENTAL SERVICES

SUBJECT: VACATION OF PUBLIC RIGHT-OF-WAY

As requested by Councilwoman Claire Eberwein at a City Council meeting in June of last year, T&ES staff was asked to review the City's process and criteria for vacation of public right-of-way. We took a look at our procedure and also reviewed the vacation policies of other cities around the state and the country, in terms of the criteria used to determine whether the vacation of public right-of-way is appropriate. Our criteria are very similar to all of the other cities we reviewed, and our procedure is discussed below.

The City's procedure for vacation of public rights-of-way consists of an application and public hearing process that is administered by the Department of Planning & Zoning and is allowed under Article 2 of the Code of Virginia (see attachment 1).

The Department on Planning & Zoning distributes the vacation application to other City agencies (primarily the Departments of T&ES and Parks & Rec) for review, to determine whether the right-of-way is still needed for a public purpose and if vacation of this right-of-way will have an adverse public effect.

The departments use the following criteria to determine if vacation of public right-of-way is reasonable:

- There is no public use of the right-of-way at the time that the application is submitted.
- 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.
- No portion of public right-of-way shall become landlocked.
- No abutting property owner shall become landlocked or have access substantially impaired.
- The vacation shall provide a public benefit.

If a vacation request is found to be reasonable, conditions may be placed on the vacation to meet the following policy requirements:

- A uniform right-of-way width must be maintained.
- Minimum right-of-way width allowed is 50 feet. This is in accordance with City Code Section 5-2-4.
- Easements must be provided for all existing public and private utilities within the area to be vacated.
- Vacated right-of-way is to be consolidated with the adjoining lots.
- The value of the vacated right-of-way will be determined by the Director of Real Estate Assessments.
- Alley vacations must consist of the full width and no land locked portions of the alley will be allowed to remain.

Each reviewing department submits comments and recommendations to the Department of Planning & Zoning who then compiles a staff report and recommendation. The vacation request is docketed for review by the Planning Commission and City Council. The City Council appoints Viewers to review the request and submit a report back to the City Council. After receiving the Viewers' report, the Council introduces an ordinance for first and second reading, and final passage (see attachment 2).

The City does not have a published guideline for determining whether to support an application for vacation of public right-of-way. Staff follow the criteria discussed above in making a recommendation to the Planning Commission and City Council in the staff report. The Viewers are issued a letter from the Clerk of the Council and requested to determine if any inconvenience or harm to the public would result from discontinuing and vacating the public right-of-way use of this property (see attachment 3).

In most cases, if the City staff object to a vacation of public right-of-way, the applicant is notified by either the Planning & Zoning staff or the Chief of Surveys, and will elect to withdraw the application from consideration. For this reason, it is rare that a vacation request will proceed to the Planning Commission and City Council without the support of staff. However, in those few cases, it would be helpful to the Planning Commission and Council, as well as the Viewers, to have a published guideline, developed by City staff, which explains the criteria discussed above. This will serve as a general guide and allow the Commission, Council and Viewers to better understand the process used by staff in determining a recommendation.

I recommend that the Chief of Surveys work with the Planning and Zoning staff and other appropriate City agencies to prepare a memo to City Council and Planning Commission, outlining the criteria set forth above. This memo should serve as the Vacation Guidelines, and should be distributed to all Viewers at the time they are requested to view a request for vacation.

I will be happy to discuss these policies and criteria further with you at your convenience.

Attachments: #1 Code of Virginia, Article 2  
#2 Vacation process flowchart  
#3 Sample letter of instructions to viewer

§ 15.2-2006

CODE OF VIRGINIA

§ 15.2-2007.1

land lying in any city or town which belongs to the Commonwealth, without first obtaining the consent of the General Assembly, anything in the charter or ordinances of any city or town to the contrary notwithstanding.

Nothing herein shall be construed as interfering in any way with the present or future plans of any cities or towns in regard to the location and maintenance of sewerage and surface drainage on or through such properties when submitted to and approved by the Governor. (Code 1950, § 15-773; 1962, c. 623, § 15.1-374; 1997, c. 587.)

## ARTICLE 2.

*Vacation, etc., of Public Rights-of-Way.*

**§ 15.2-2006. Alteration and vacation of public rights-of-way; appeal from decision.** — In addition to (i) the powers contained in the charter of any locality, (ii) any powers now had by such governing bodies under the common law or (iii) powers by other provisions of law, public rights-of-way in localities may be altered or vacated on motion of such governing bodies or on application of any person after notice of intention to do so has been published at least twice, with at least six days elapsing between the first and second publication, in a newspaper having general circulation in the locality. The notice shall specify the time and place of a hearing at which persons affected may appear and be heard. The cost of publishing the notice shall be taxed to the applicant. At the conclusion of the hearing and on application of any person, the governing body may appoint three to five people to view such public right-of-way and report in writing any inconvenience that would result from discontinuing the right-of-way. The governing body may allow the viewers up to fifty dollars each for their services. The sum allowed shall be paid by the person making the application to alter or vacate the public right-of-way. From such report and other evidence, if any, and after the land owners affected thereby, along the public right-of-way proposed to be altered or vacated, have been notified, the governing body may discontinue the public right-of-way. When an applicant requests a vacation to accommodate expansion or development of an existing or proposed business, the governing body may condition the vacation upon commencement of the expansion or development within a specified period of time. Failing to commence within such time may render the vacation, at the option of the governing body, void. A certified copy of the ordinance of vacation shall be recorded as deeds are recorded and indexed in the name of the locality. A conditional vacation shall not be recorded until the condition has been met. Any appeal shall be filed within sixty days of adoption of the ordinance with the circuit court for the locality in which the public right-of-way is located. (Code 1950, § 15-766; 1950, p. 725; 1952, c. 580; 1956, c. 487; 1958, c. 196; 1962, c. 623, § 15.1-364; 1964, c. 13; 1972, c. 357; 1973, c. 71; 1980, c. 236; 1982, c. 381; 1983, c. 33; 1984, c. 175; 1986, c. 41; 1997, c. 587.)

**§ 15.2-2007. Fee for processing application under § 15.2-2006.** — The governing body of any locality may prescribe and charge a reasonable fee not exceeding \$100 for processing an application pursuant to § 15.2-2006. (1970, c. 161, § 15.1-364.1; 1976, c. 183; 1979, c. 208; 1997, c. 587.)

**§ 15.2-2007.1. Appointment of viewers in certain cities.** — Notwithstanding the provisions of § 15.2-2006, any city with a population greater than 350,000 may by ordinance appoint three to five viewers for terms of one year to view each and every street or alley proposed to be altered or vacated during the term. The notice requirements of § 15.2-2204 shall be complied with for each hearing regarding discontinuance of the street or alley proposed to be

§ 15.2-2008

COUNTIES, CITIES AND TOWNS

§ 15.2-2009

altered or vacated. The applicant for closure of streets or alleys in such cities that have appointed viewers pursuant to this section shall not be required to advertise, and the governing body shall not be required to hold a separate hearing, for appointment of viewers for each specific street or alley proposed to be altered or vacated. The applicant and the governing body of such city shall comply with all other provisions of § 15.2-2006. (1997, c. 742, § 15.1-364.2.)

Editor's note. — This section was enacted by Acts 1997, c. 742. Pursuant to Acts 1997, c. 587, cl. 6, this section has been incorporated into Title 15.2 as § 15.2-2007.1.

§ 15.2-2008. **Sale of public rights-of-way, easements, etc., to certain purchasers.** — Notwithstanding any contrary provision of law, general or special, any locality, as a condition to a vacation or abandonment, may require the fractional portion of its public rights-of-way and easements to be purchased by any abutting property owner. The price shall be no greater than the property's fair market value or its contributory value to the abutting property, whichever is greater, or the amount agreed to by the parties. No such vacation or abandonment shall be concluded until the agreed price has been paid. If any abutting property owner does not pay for such owner's fractional portion within one year, or other time period made a condition of the vacation or abandonment, of the local government action to vacate or abandon, then the vacation or abandonment shall be void as to any such property owner. (1979, c. 241, § 15.1-366; 1985, c. 276; 1992, c. 362; 1993, c. 343; 1997, c. 587.)

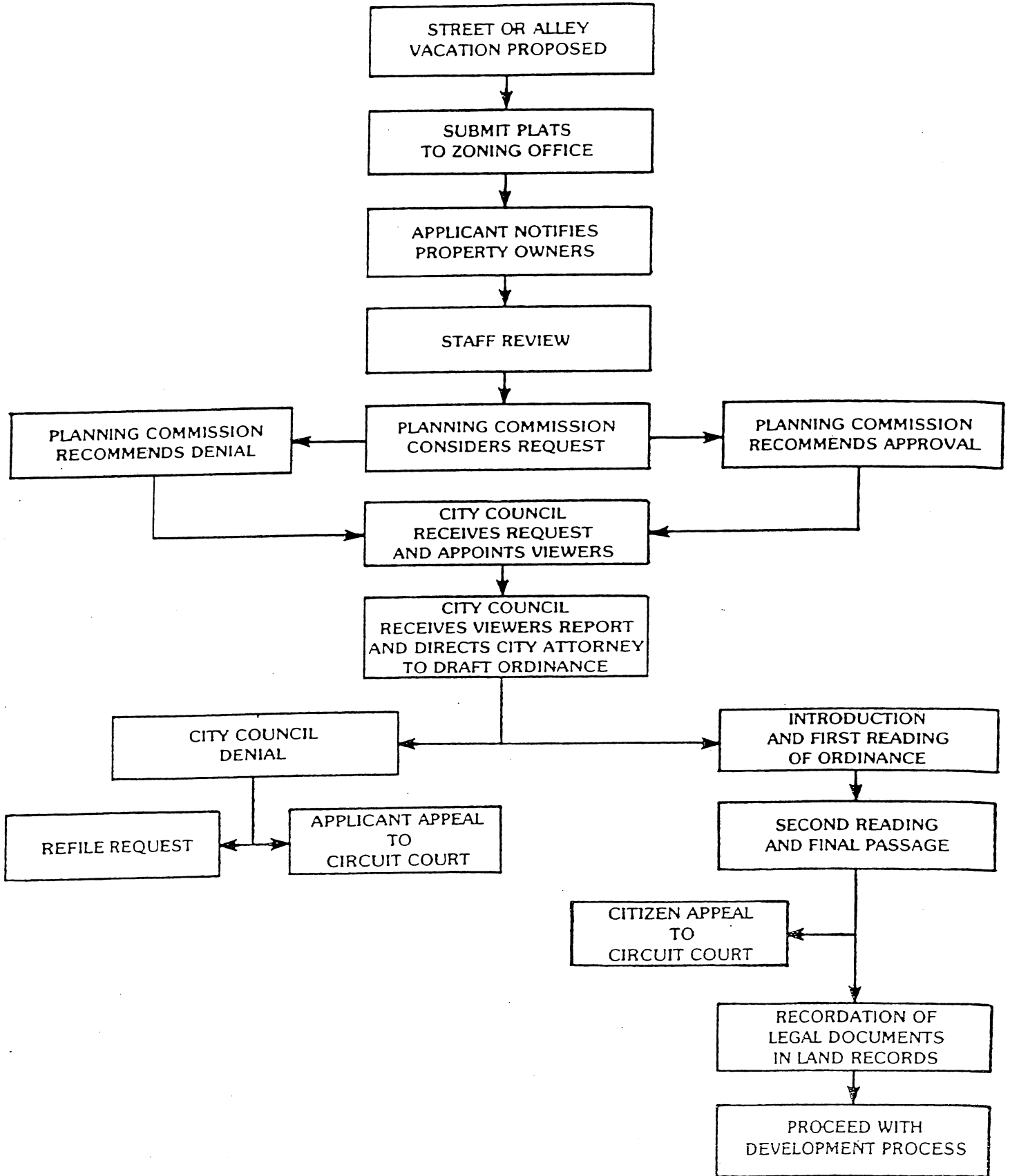
Law Review. — For survey of Virginia law on property for the year 1978-1979, see 66 Va. L. Rev. 359 (1980).

ARTICLE 3.

*Encroachments on Rights-of-Way, etc.*

§ 15.2-2009. **Obstructions or encroachments.** — A locality may prevent any unlawful obstruction of or encroachment over, under or in any street, highway, road, alley, bridge, viaduct, subway, underpass or other public right-of-way or place; may provide penalties for maintaining any such unlawful obstruction or encroachment; may remove the same and charge the cost thereof to the owner or occupant of the property so obstructing or encroaching; and may collect the cost in any manner provided by law for the collection of state or local taxes. The locality may require the owner or occupant of the property so obstructing or encroaching to remove the property and, pending such removal, may charge the owner of the property so obstructing or encroaching compensation for the use of such portion of the street, highway, road, alley, bridge, viaduct, subway, underpass or other public right-of-way or place obstructed or encroached upon the equivalent of what would be the tax upon the land so occupied if it were owned by the owner of the property so obstructing or encroaching. If removal is not accomplished within the time ordered, the locality may impose penalties for each day that the obstruction or encroachment is allowed to continue. The locality may authorize encroachments upon such public rights-of-way and places subject to such terms and conditions as the governing body may prescribe. However, owners or occupants shall be liable for negligence on account of such encroachment, and the governing body may institute and prosecute a suit or action in ejectment or other appropriate proceedings to recover possession of any such public right-of-way or place or any other property unlawfully occupied or encroached upon. (Code 1950, § 15-77.57; 1958, c. 328; 1962, c. 623, § 15.1-893; 1997, c. 587.)

# The Vacation Process



PROPERTY LOCATION: 2702 Russell Road, Alexandria, VA 22305

TAX MAP REFERENCE: 024.03-01-02 ZONE: R-8

APPLICANT'S NAME: Shirley Indelicato, Trustee

ADDRESS: [REDACTED]

PROPERTY OWNER NAME: City of Alexandria

(Owner of abutting area to be vacated)

ADDRESS: [REDACTED]

VACATION DESCRIPTION: This vacation application is being submitted in conjunction with VAC #2023-00004.

Together, the two applications request vacation of the approximately 39' x 194' easterly extension of Kent Place, never built, intersecting with Russell Road.

- THE UNDERSIGNED hereby applies for a Vacation Ordinance in accordance with the provisions of Chapter 10 of the Code of the State of Virginia, the Alexandria City Charter and City Code, and the Alexandria Zoning Ordinance.
- THE UNDERSIGNED, having obtained permission from the property owner, hereby grants permission to the City of Alexandria staff and Commission Members to visit, inspect, and photograph the building premises, land etc., connected with the application.
- THE UNDERSIGNED having obtained permission from the property owner, hereby grants permission to the City of Alexandria to post placard notice on the property for which this application is requested, pursuant to Article XI, Section 11-301 (B) of the 1992 Zoning Ordinance of the City of Alexandria, Virginia.
- THE UNDERSIGNED also attests that all of the information herein provided and specifically including all surveys, drawings, etc., required of the applicant are true, correct and accurate to the best of their knowledge and belief.

David L. Chamowitz  
*Print Name of Applicant or Agent*

[REDACTED]  
*Mailing/Street Address*

[REDACTED]  
*City and State      Zip Code*

[Signature]  
*Signature*

[REDACTED] N/A  
*Telephone #      Fax #*

9/24/25  
*Date*

# OWNERSHIP AND DISCLOSURE STATEMENT

Use additional sheets if necessary

1. Applicant. State the name, address and percent of ownership of any person or entity owning an interest in the applicant, unless the entity is a corporation or partnership, in which case identify each owner of more than ten percent. The term ownership interest shall include any legal or equitable interest held at the time of the application in the real property which is the subject of the application.

Name	Address	Percent of Ownership
1. Shirley A. Enlehan, Trustee	[REDACTED]	50
2. Shirley A. Enlehan, Trustee	[REDACTED]	50
3.		

2. Property. State the name, address and percent of ownership of any person or entity owning an interest in the property located at 2702 Russell Road (address), unless the entity is a corporation or partnership, in which case identify each owner of more than ten percent. The term ownership interest shall include any legal or equitable interest held at the time of the application in the real property which is the subject of the application.

Name	Address	Percent of Ownership
1. Shirley A. Enlehan, Trustee	[REDACTED]	50
2. Shirley A. Enlehan, Trustee	[REDACTED]	50
3.		

3. Business or Financial Relationships. Each person or entity indicated above in sections 1 and 2, with an ownership interest in the applicant or in the subject property are require to disclose any business or financial relationship, as defined by Section 11-350 of the Zoning Ordinance, existing at the time of this application, or within the 12-month period prior to the submission of this application with any member of the Alexandria City Council, Planning Commission, Board of Zoning Appeals or either Boards of Architectural Review. **All fields must be filled out completely. Do not leave blank. (If there are no relationships please indicated each person or entity and "None" in the corresponding fields).**

For a list of current council, commission and board members, as well as the definition of business and financial relationship, [click here](#).

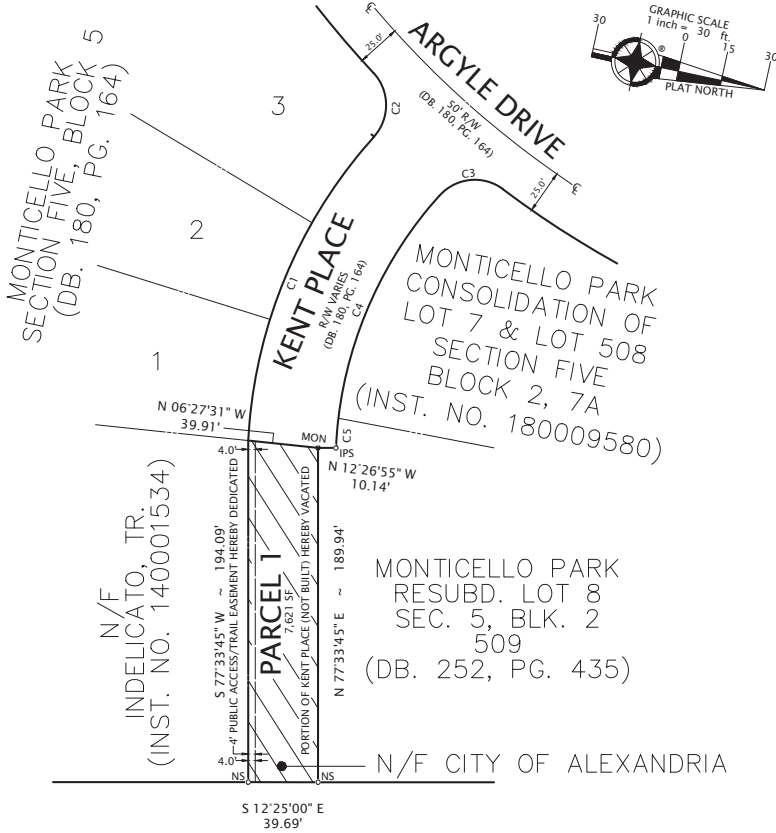
Name of person or entity	Relationship as defined by Section 11-350 of the Zoning Ordinance	Member of the Approving Body (i.e. City Council, Planning Commission, etc.)
1. Shirley A. Enlehan, Trustee	None	None
2. Shirley A. Enlehan, Trustee	None	None
3.	None	None

**NOTE: Business or financial relationships of the type described in Sec. 11-350 that arise after the filing of this application and before each public hearing must be disclosed prior to the public hearings.**

As the applicant or the applicant's authorized agent, I hereby attest to the best of my ability that the information provided above is true and correct.

9/24/25
David L. Chamowitz
\_\_\_\_\_

Date
Printed Name
Signature

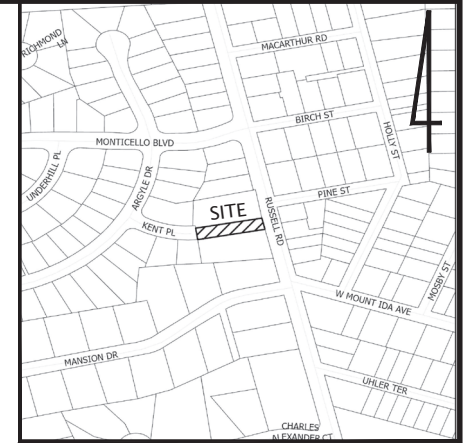


**RUSSELL ROAD**  
 WIDTH VARIES

CURVE	RADIUS	ARC LENGTH	DELTA ANGLE	TANGENT	CHORD LENGTH	CHORD BEARING
C1	280.61'	190.51'	38°53'56"	99.09'	186.87'	S 79°56'39" E
C2	26.83'	39.79'	84°58'34"	24.57'	36.24'	N 77°01'02" E
C3	26.83'	39.79'	84°58'34"	24.57'	36.24'	S 18°00'24" E
C4	230.61'	158.07'	39°16'19"	82.28'	154.99'	N 80°07'50" W
C5	230.61'	16.95'	04°12'36"	8.47'	16.94'	S 82°20'48" W

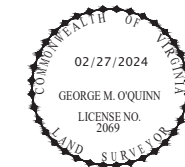
**NOTES:**

1. THE PROPERTY DELINEATED HEREON IS SHOWN ON THE CITY OF ALEXANDRIA TAX MAP 024.01
2. THIS PLAT IS SUBJECT TO RESTRICTIONS OF RECORD.
3. ALL PREVIOUSLY RECORDED RIGHTS-OF-WAY, EASEMENTS, OR OTHER INTEREST OF THE COUNTY REMAIN IN FULL FORCE AND EFFECT UNLESS SHOWN OTHERWISE ON THIS PLAT.
4. THIS PLAT WAS PREPARED WITHOUT THE BENEFIT OF A TITLE REPORT.



**VICINITY MAP**  
 1" = 400'

<b>APPROVED</b>	
CITY PLANNING COMMISSION ALEXANDRIA, VIRGINIA	
CHAIRMAN	DATE
DIRECTOR OF PLANNING	DATE
PUBLIC IMPROVEMENTS BOND(S) APPROVED	
DIRECTOR T. & E.S.	DATE



DOMINION SURVEYORS®  
*George M. O'Quinn*  
 GEORGE M. O'QUINN ..... L.S.

PLAT  
 SHOWING STREET VACATION OF A PORTION OF  
**KENT PLACE**  
 (DEED BOOK 180, PAGE 164)  
 AND A  
 4' PUBLIC ACCESS/TRAIL EASEMENT  
 CITY OF ALEXANDRIA, VIRGINIA  
 SCALE: 1" = 50'      FEBRUARY 27, 2024

**DOMINION** Surveyors Inc.  
 8808-H PEAR TREE VILLAGE COURT  
 ALEXANDRIA, VIRGINIA 22309  
 703-619-6555  
 www.dominionsurveyors.com

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**February 28, 2024**

**DESCRIPTION  
VACATION OF A PORTION OF  
KENT PLACE  
CITY OF ALEXANDRIA, VIRGINIA**

Beginning at a point in the westerly line of Russell Road and the northerly line of Kent Place, a corner common to Lot 509, Section 5, Block 2, Resubdivision of Lot 8, Monticello Park; thence with the westerly line of Russell Road S 12°25'00" E 39.69' to a point in the southerly line of Kent Place, a corner common to N/F Indelicato, Tr.; thence with the southerly line of Kent Place S 77°33'45" W 194.09' to a point, a corner common to Lot 1, Section 5, Block 5, Monticello Park; thence through Kent Place N 06°27'31" W 39.91' to a point in the northerly line of Kent Place, a corner common to Lot 509; thence with the northerly line Kent Place N 77°33'45" E 189.94' to the point of beginning containing 7,621 square feet of land.

From: [lauragaylewilliams@gmail.com](mailto:lauragaylewilliams@gmail.com)

To: [plancomm@alexandriava.gov](mailto: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.