

INTRODUCED: September 26, 2022

AN ORDINANCE No. 2022-274

To declare a public necessity for and to authorize the acquisition of six parcels of real estate owned by West Commerce Properties LLC and known as 2101Rear Commerce Road, 2114 Rear Bellemeade Road, 2600 Rear Lynhaven Avenue, 2215 Concord Avenue, 2237 Concord Avenue, and 2110 Lumkin Avenue for the purpose of facilitating the expansion of Broad Rock Creek Park.

Patron – Mayor Stoney

Approved as to form and legality
by the City Attorney

PUBLIC HEARING: OCT 10 2022 AT 6 P.M.

WHEREAS, in the opinion of the Council of the City of Richmond, a public necessity exists for the acquisition of six parcels of real estate owned by West Commerce Properties LLC and known as 2215 Concord Avenue, 2237 Concord Avenue, 2110 Lumkin Avenue, 2114 Rear Bellemeade Road, 2101 Rear Commerce Road, and 2600 Rear Lynhaven Avenue for the purpose of facilitating the expansion of Broad Rock Creek Park;

NOW, THEREFORE,

THE CITY OF RICHMOND HEREBY ORDAINS:

§ 1. That a public necessity exists for the acquisition of six parcels of real estate owned by West Commerce Properties LLC, known as 2215 Concord Avenue, 2237 Concord Avenue,

AYES: 9 NOES: 0 ABSTAIN: _____

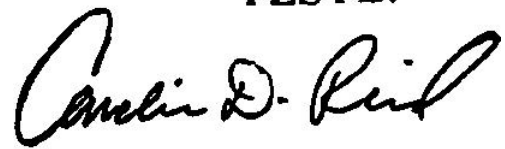
ADOPTED: OCT 10 2022 REJECTED: _____ STRICKEN: _____

2110 Lumkin Avenue, 2114 Rear Bellemeade Road, 2101 Rear Commerce Road, and 2600 Rear Lynhaven Avenue, and identified as Tax Parcel Nos. S008-0490/017, S008-0490/031, S008-0490/016, S008-0276/008, S008-0276/012, and S008-0418/003, respectively, in the 2022 records of the City Assessor for the purpose of facilitating the expansion of Broad Rock Creek Park.

§ 2. That the Chief Administrative Officer is authorized to accept the properties described in section 1 of this ordinance and to execute the deeds and other documents necessary to complete the acquisition of such properties described in section 1 of this ordinance, provided that all such deeds and other documents first must be approved as to form by the City Attorney or the designee thereof.

§ 3. This ordinance shall be in force and effect upon adoption.

**A TRUE COPY:
TESTE:**

A handwritten signature in black ink, appearing to read "Carolin D. Reed". The signature is written in a cursive, flowing style.

City Clerk




CITY OF RICHMOND


INTRACITY CORRESPONDENCE

O&R REQUEST

DATE: August 25, 2022 **EDITION:** 1


TO: The Honorable Members of City Council


THROUGH: The Honorable Levar M. Stoney, Mayor 

THROUGH: J.E. Lincoln Saunders, Chief Administrative Officer 

THROUGH: Robert C. Steidel, DCAO - Operations Portfolio  Digitally signed by Robert C. Steidel
Date: 2022.08.30 09:24:33 -04'00'

THROUGH: Sharon L. Ebert, DCAO – Planning & Economic Development Portfolio 

THROUGH: Reginald Gordon, DCAO – Human Services 

FROM: Christopher E. Frelke - Director of Parks, Recreation & Community Facilities 

RE: Land Swap to Facilitate Expansion of Broad Rock Creek Park

ORD. OR RES. No.

PURPOSE:

1. To declare surplus and authorize the conveyance of a 1.546 +/- acre portion of the parcel of city-owned real estate located at 2101 Commerce Road (Tax Parcel No. S008-0276-010) to 2107 West Commerce LLC, labeled as "PARCEL B" and "AREA TO BE CONVEYED" on the Plat attached hereto and referred to as DPW DWG # N-28994, dated June 28, 2022 and revised August 8, 2022 (the "City to West Commerce Conveyance Area"), for the purpose of providing a means of legal access from the public right-of-way street to the adjacent land presently land-locked parcel of real estate owned by 2107 West Commerce LLC (Tax Parcel No. S008-0276-009), subject to the following provisions:

- The City is to retain the following easements in the City to West Commerce LLC Conveyance Area:

- A 20’ wide public access easement for the construction and use of the Fall Line Trail Connector over/across/under that appx. 8,538 sq. ft. area labeled on the Plat as “20’ WIDE FLT ESMT. (FALL LINE TRAIL CONNECTOR) 8,538 SQ. FT. TO BE RETAINED BY CITY”
 - A storm water drainage easement over the appx. 1,024 sq. ft. portion of the City to West Commerce LLC Conveyance Area labeled on the Plat as “PROPOSED DRAINAGE EASEMENT 25’ WIDE SEE NOTE 1”
 - Upon conveyance of the City to West Commerce LLC Conveyance Area, such real estate is to be consolidated with the parcel of real estate located at 2107 West Commerce Road (Tax Parcel No. S008-0276-009).
2. To authorize the City’s acquisition of the following six (6) parcels of real estate from West Commerce Properties LLC for the purpose of expanding Broad Rock Creek Park (the “Park”).

| Address | Parcel ID | Acreage | Owner |
|---------------------------|-------------|---------|------------------------------|
| 2101 Rear Commerce Road | S0080276012 | 4.3 | WEST COMMERCE PROPERTIES LLC |
| 2114 Rear Bellemeade Road | S0080276008 | 1.4747 | WEST COMMERCE PROPERTIES LLC |
| 2600 Rear Lynhaven Ave | S0080418003 | 0.459 | WEST COMMERCE PROPERTIES LLC |
| 2215 Concord Ave | S0080490017 | 1.86 | WEST COMMERCE PROPERTIES LLC |
| 2237 Concord Ave | S0080490031 | 0.096 | WEST COMMERCE PROPERTIES LLC |
| 2110 Lumkin Ave | S0080490016 | 0.093 | WEST COMMERCE PROPERTIES LLC |

REASON: Council approval is necessary for the conveyance of surplus City-owned real estate property and for the City’s acquisition/acceptance of privately-owned real estate.

RECOMMENDATION: The City Administration recommends approval.

BACKGROUND: The Estate of Dick Edmunds is the owner of the parcel located at 2107 West Commerce (Tax Parcel No S008-0276-009) and the six (6) other parcels mentioned under Purpose. 2107 West Commerce parcel is a land-locked and has no legal access to

public right-of-way. The City owns the parcel located at 2101 Commerce Road (“City Parcel”) which has frontage on Commerce Road and abuts to the 2107 West Commerce parcel. The City Parcel is not developed and is being used to access Edmunds property.

The Estate of Dick Edmunds is offering a land swap of six (6) parcels that will increase the Park’s land area and provide an opportunity for Fall Line Trail connectivity to the City’s newest park currently in development at Broad Rock Creek Park. In exchange, the Estate is seeking to acquire a portion of the City Parcel, which land will be added to the Estate’s land-locked 2107 West Commerce parcel. Transferring a portion of the vacant City Parcel will provide the right-of-way access necessary to render to privately-owned 2017 West Commerce parcel developable and, in turn, increase the development footprint along Commerce Road in this important redevelopment corridor.

Furthermore, the six parcels the Edmunds estate is willing to convey to the City in exchange will provide for the expansion of the Park and an opportunity for creation of the Fall Line Trail connector trail through the FLT Connector easement the City will retain on the City Parcel to the six parcels the City will acquire. This would provide a direct connection to the Park to the regional Fall Line Trail (FLT), a 40+ mile shared-use path currently under development by the Commonwealth. The connector trail will also provide transportation (pedestrian and bicycle) access to the neighboring community, linking to this flagship Park and to the FLT itself. This will serve the continued expansion of the city’s growing bikeway network, providing opportunities for both recreation and low-cost, non-motorized transportation.

The City will also be retaining permanent drainage easement on the portion of the City Parcel being conveyed to the Edmunds.

The City will be conveying approximately 1.546+/- acres of the City Parcel; however, will retain both a storm water drainage easement (1,024SF) and a FLT Connector Easement (8,538SF) – the estimated value of such conveyance is approx. \$111,362 per 2021 assessment.

The Estate of Edmunds will be conveying 6 parcels to the City to expand the Park, which parcels total 8.283+/- Acres – the estimated value of such conveyance is \$106,000 per 2021 assessment. The City and the Edmunds accept this as an equal swap without any additional/monetary compensation.

FISCAL IMPACT / COST: None

FISCAL IMPLICATIONS: None

BUDGET AMENDMENT NECESSARY: None

REVENUE TO CITY: None

DESIRED EFFECTIVE DATE: Upon adoption

REQUESTED INTRODUCTION DATE: Sept. 26, 2022

CITY COUNCIL PUBLIC HEARING DATE: Oct. 10, 2022

REQUESTED AGENDA: Consent

RECOMMENDED COUNCIL COMMITTEE: No Committee referral pursuant to Council Rules of Procedure

CONSIDERATION BY OTHER GOVERNMENTAL ENTITIES: Planning Commission

AFFECTED AGENCIES: Parks, Recreation & Community Facilities, Public Works, Economic Development, Planning & Development Review, City Attorney's Office

RELATIONSHIP TO EXISTING ORD. OR RES.: N/A

REQUIRED CHANGES TO WORK PROGRAM(S): None

ATTACHMENTS: Plat entitled "PLAT SHOWING DIVISION OF CITY OWNED PARCEL S008-0276-010 WITH A PORTION BEING CONVEYED AND CONSOLIDATED WITH PARCEL S008-0276-009 DPW DRAWING # N-28994", dated June 28, 2022 and revised August 8, 2022

STAFF: Chris Frelke, Parks
Ryan Rinn, Parks
M. S. Khara, DPW
Chris Nizamis, Economic Development (Real Estate Strategies)

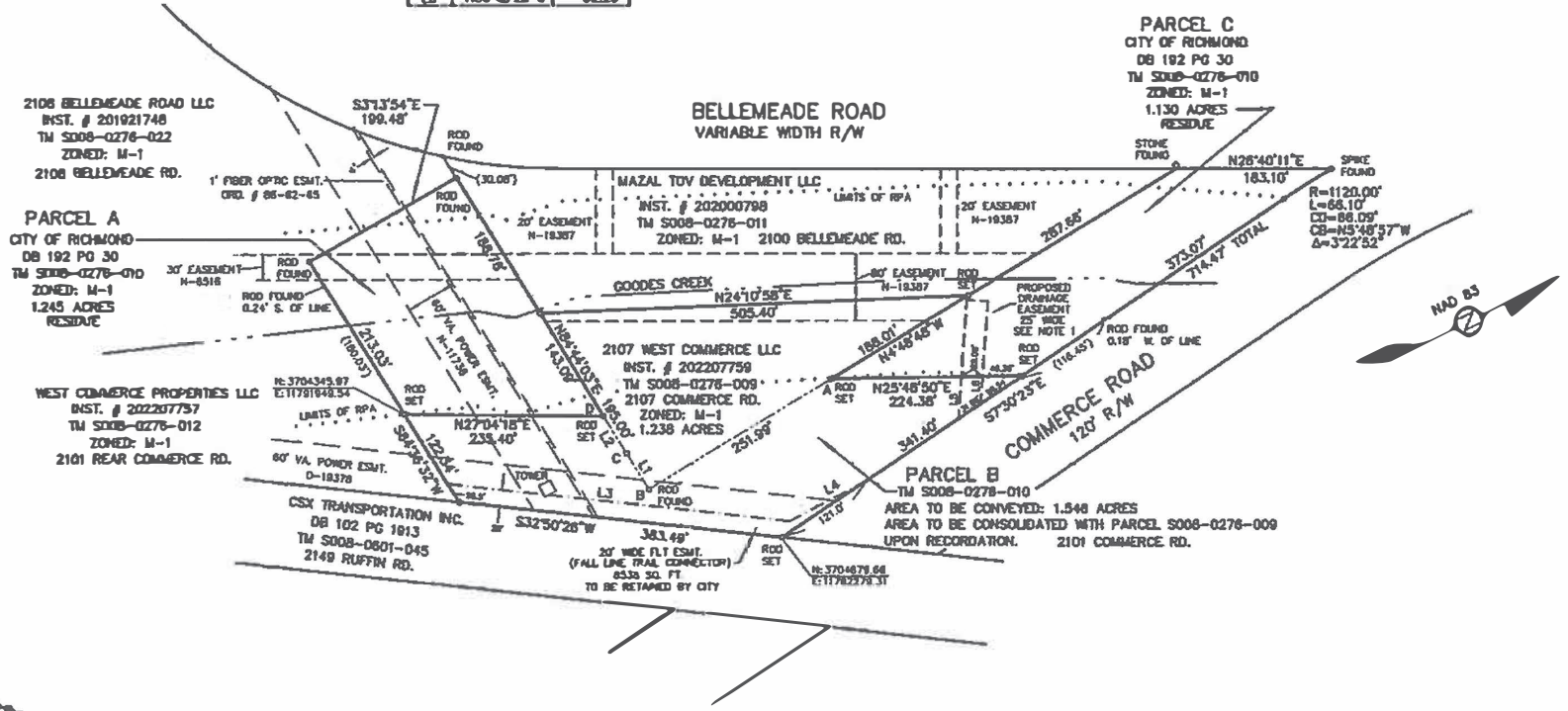
| LINE TABLE | | |
|------------|-------------|----------|
| NO. | BEARING | DISTANCE |
| L1 | N84°36'11"E | 50.00' |
| L2 | N84°44'03"E | 61.61' |

| EASEMENTS | | |
|-----------|-------------|---------|
| L3 | N32°50'28"E | 408.50' |
| L4 | N1°37'58"W | 103.07' |
| L5 | N58°40'23"W | 49.67' |
| L6 | N58°40'23"W | 32.28' |

NOTE 1: PORTION OF EASEMENT ON PARCEL B (1,024 SQ. FT.), TO BE RETAINED BY CITY. PORTION OF EASEMENT ON PARCEL C IS REQUIRED EASEMENT IF PARCEL EVER TRANSFERRED FROM CITY.

RPA DETERMINED BY FIELD LOCATION OF GOODES CREEK, DEFINED AS 100 FEET FROM EDGE OF WATERWAY.

LINES FROM A, B, C, TO D TO BE VACATED UPON RECORDATION.



PLAT SHOWING DIVISION OF CITY OWNED PARCEL S008-0276-010
 WITH A PORTION BEING CONVEYED AND CONSOLIDATED
 WITH PARCEL S008-0276-009
 DPW DWG # N-28994
 CITY OF RICHMOND, VIRGINIA



I HEREBY CERTIFY THAT THE BOUNDARY SHOWN HEREON IS BASED ON A CURRENT FIELD SURVEY.
 THIS PROPERTY IS LOCATED IN HILL FLOOD ZONE AE, AND IS AS SHOWN ON FIRM # 5101290010 DATED 4/02/08.

TITLE REPORT NOT FURNISHED

25 0 50 100

JUNE 28, 2022 SCALE: 1" = 100'
 REVISED AUGUST 8, 2022

Dan Carney & Associates
 Professional Land Surveying
 P.O. Box 15
 Hackensack, Va 23067
 804-457-3811

JOB NO. 2205