



CITY OF RICHMOND

Department of Planning & Development Review *Staff Report*

Ord. No. 2017-031: To declare a public necessity for and to authorize the acquisition of certain fee simple interests and easements in a parcel of real property owned by North Falls Acquisition, LLC at 1300 East Byrd Street for the public purpose of providing public access, stairways, and walkways associated with the Kanawha Canal..

To: City Planning Commission
From: Land Use Administration
Date: March 6, 2017

PETITIONER

City of Richmond

LOCATION

1300 East Byrd Street

PURPOSE

To declare a public necessity exists and to authorize the Chief Administrative Officer (the "CAO") to acquire certain property (shown as the 0.323 Acre Canal Parcel on Exhibit A of the Deed) and real property interests from North Falls Acquisition, LLC ("North Falls"), by execution of the certain agreement entitled "Deed of Boundary Line Adjustment, Conveyance, Declaration of Easements, Covenants, and Agreements and Development Agreement" attached hereto (the "Deed").

SUMMARY & RECOMMENDATION

The City is a party to that certain Richmond Riverfront Development Agreement dated as of June 16, 1994, a short form of which is recorded in the Clerk's Office of the Circuit Court of the City of Richmond at Deed Book 419, Page 1016 ("Riverfront Agreement"), which agreement sets forth the transfer of certain property interests to the City as follows. Article 5, Section 5.8(b)(iii) of the Riverfront Agreement states that, upon ceasing to operate its facility, Reynolds Metal Company (North Falls predecessor in title) shall promptly convey that portion of the Kanawha Canal as was initially granted to RRDC (now, Venture Richmond) as an easement for controlled public access to RRDC, or as RRDC may direct, in fee simple. Article 5, Section 5.8(b)(v) of the River-front Agreement further states that Reynolds shall promptly convey to RRDC, or as RRDC may direct in fee simple, such additional portion of its parcel as Reynolds, RRDC and the City may agree is appropriate and sufficient for the construction by the City of public walkways.

By letter dated January 8, 2015, Venture Richmond directed North Falls to convey certain property interests to the City in order to comply with the requirements set forth above. The requested ordinance authorizes the City to accept such property interests, including a portion of the Kanawha Canal, and allows North Falls to comply, in part, with its obligations set forth in the Riverfront Agreement. There will be additional property interests required to be transferred as the property to the north and east is developed.

City Administration recommends approval of this ordinance.

FINDINGS OF FACT

Site Description

As a part of the Downtown Planning District, the property consists of approximately 2.1 acres, and is located along the canal walk.

Master Plan & Zoning

The site is recognized within the City's Downtown Plan as a part of the Urban Center Area (UCA) which "...is characterized by higher density, mixed-use development, typically arranged on a fine-grained street network, with wide sidewalks, regular tree planting, and minimal setbacks."(Downtown Plan p. 3.25) Current zoning is B-4 (Central Business).

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