

AN ORDINANCE No 85-301-276

ADOPTED DEC 16 1985

To close to public use and travel a portion of 17th Street that extends a distance of 333.17 feet, more or less, along its easterly line (of the portion to be closed by this ordinance becoming effective) from the south right of way line of Grace Street to the north right of way line of Franklin Street, said portion of 17th Street proposed to be closed being 30.99 feet, more or less, in width at Grace Street and 19.61 feet, more or less, in width at East Franklin Street, as shown shaded on a plan prepared by the Department of Public Works, Drawing No. N-21440, entitled: "Proposed Closing of 17th St. between Franklin and Grace Sts. (Farmer's Market)", dated October 8, 1985, upon certain terms and conditions.

Patron - City Manager (By Request)

Approved as to form and legality
by City Attorney

1. THE CITY OF RICHMOND HEREBY ORDAINS:
2. § 1. That the portion of 17th Street that extends a
3. distance of 333.17 feet, more or less, along its easterly
4. line (of the portion to be closed by this ordinance becoming
5. effective) from the south right of way line of Grace Street
6. to the north right of way line of Franklin Street, said
7. portion of 17th Street proposed to be closed being 30.99
8. feet, more or less, in width at Grace Street and 19.61 feet,
9. more or less, in width at East Franklin Street, shown shaded
10. on a plan prepared by the Department of Public Works,
11. Drawing No. N-21440, entitled: "Proposed Closing of 17th St.
12. between Franklin and Grace Sts. (Farmer's Market)", dated

1. October 8, 1985, which plan is on file in the office of the
2. Department of Public Works and a copy of which is attached
3. to the draft of this ordinance, be and is hereby closed to
4. public use and travel and abandoned as a portion of a public
5. street of the City of Richmond, it being no longer needed
6. for the public convenience.

7. § 2. This ordinance shall be in force as provided
8. in Section 4.09 of the Charter of the City of Richmond and
9. shall become effective when, within twelve months from the
10. day this ordinance is in force, (a) the owner or owners of
11. all the property abutting the aforesaid portion of 17th
12. Street to be closed consent thereto in writing, which
13. consent shall be filed in the office of the City Clerk; (b)
14. the Industrial Development Authority of the City of Richmond
15. makes arrangements satisfactory to public utility or public
16. service corporations whose properties or facilities are in
17. said street for either the removal, relocation or abandon-
18. ment thereof or for the construction, reconstruction,
19. maintenance and repair thereof, evidence of which shall be
20. in writing, approved as to form by the City Attorney, and
21. filed in the office of the City Clerk; (c) the Industrial
22. Development Authority of the City of Richmond bears all cost
23. involved and agrees in writing with the City that for
24. itself, its successors and assigns, to indemnify, reimburse,

1. keep and hold the City of Richmond free and harmless from
2. liability on account of injury or damage to persons, firms
3. or corporations or property which may result directly or
4. indirectly from the closing of the portion of 17th Street
5. closed to public use and travel by this ordinance becoming
6. effective and from the obstruction or interference with the
7. flow or overflow of surface or subsurface water resulting
8. directly or indirectly therefrom; and in the event that any
9. suit or proceeding is brought against the City at law or in
10. equity, either independently or jointly with the owner or
11. owners of all the property abutting the aforesaid street, or
12. any of them, on account thereof, to defend the City in any
13. such suit or proceeding at its costs; and in the event of a
14. final judgment or decree being obtained against the City, to
15. pay such judgment or comply with such decree including
16. payment of all costs and expenses of whatsoever nature and
17. to hold the City and said owners harmless therefrom; the
18. Industrial Development Authority of the City of Richmond
19. grants to the City a utility easement for the 6-inch water
20. line and the 6-inch sewer line and makes arrangements
21. satisfactory to the Director of Public Utilities for the
22. protection of same, in the entire area shown shaded on
23. Department of Public Works Drawing No. N-21440, unless
24. complying fully with (b) supra, concerning removal,
25. abandonment or reloctaion thereof.

1. The consents herein required to be executed on
2. behalf of the owners of the real estate abutting the portion
3. of the street to be closed to public use and travel shall be
4. in form satisfactory to the City Attorney. The Industrial
5. Development Authority of the City of Richmond shall be
6. responsible for satisfying all terms and conditions imposed
7. and requisite for this ordinance becoming effective.

City of Richmond
City Planning Commission



900 East Broad Street, Richmond, Virginia 23219
804 • 780-4347

December 11, 1985

To the Honorable Council of the
City of Richmond, Virginia

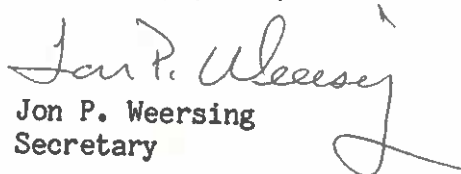
At its meeting of December 9, 1985, the City Planning Commission voted
(7-0) to recommend APPROVAL of:

Ordinance No. 85-301

To close to public use and travel a portion of 17th Street that extends a distance of 333.17 feet, more or less, along its easterly line,***from the south right of way line of Grace Street to the north right of way line of Franklin Street,***shown shaded on a plan prepared by the Department of Public Works, Drawing No. N-21440,***dated October 8, 1985, upon certain terms and conditions.

This paper would close to public use and travel the western portion of 17th Street between Grace and Franklin Streets in order to provide an expanded parking area to serve the new 17th Street Farmers' Market. Final plans for the Farmers' Market, which included the proposed parking area, were approved by the Commission on September 16. Approval of this paper is necessary to implement those plans. The two-block segment of 17th Street between Grace and Main Streets consists of a one-way couplet, with the present Farmers' Market lying between the two roadways in the southern block. A small parking area exists on the City-owned land lying between the two roadways in the subject block. Closing this one-block segment of the western right-of-way, which varies from 19 to 31 feet in width, will enable a more formal and controlled parking area with almost double the current parking capacity. The western portion of 17th Street in the block to the south will remain in place, but is planned to function primarily as access to the new Farmers' Market rather than as a through street. Alternatives for adequately handling southbound traffic are being evaluated by the Traffic Engineer, and will most likely involve two-way traffic on the eastern portion of 17th Street. Ordinance No. 85-299 on Council's docket provides for an exchange of property between the City and the other abutting property owner to enable implementation of the parking plan.

Very truly yours,


Jon P. Weersing
Secretary

JPW:lk

cc: Director - Department of Public Works