



## CITY OF RICHMOND

### Department of Planning & Development Review *Staff Report*

**Ord. No. 2017-005:** To declare surplus and direct the conveyance of a portion of City-owned real estate on Brown's Island, located at the south end of the South 5th Street footbridge and consisting of 1,256± square feet in the form of a circle with a diameter of 40 feet, for nominal consideration to the Commonwealth of Virginia for the purpose of facilitating the installation and maintenance of the Emancipation Proclamation and Freedom Monument by the Commonwealth of Virginia.

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

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#### **PETITIONER**

City of Richmond

#### **LOCATION**

Brown's Island, 501 Tredegar Street

#### **PURPOSE**

To declare surplus and direct the conveyance of a portion of City-owned real estate on Brown's Island, located at the south end of the South 5th Street footbridge and consisting of 1,256± square feet in the form of a circle with a diameter of 40 feet, for nominal consideration to the Commonwealth of Virginia for the purpose of facilitating the installation and maintenance of the Emancipation Proclamation and Freedom Monument by the Commonwealth of Virginia.

#### **SUMMARY & RECOMMENDATION**

The Emancipation Proclamation and Freedom monument will be funded through an appropriation made by the General Assembly in 2012, and private donations. The Commonwealth wants to retain ownership of the monument. The City cannot grant an easement in excess of 40 years, so the Commonwealth has requested transfer of the approximately 1,250 square foot parcel to the Commonwealth in order to facilitate the construction of the monument on Brown's Island. This Ordinance will authorize the CAO to execute documents necessary to convey the property to the Commonwealth.

The Dr. Martin Luther King, Jr., Memorial Commission is a statutory and bi-partisan agency of the Virginia General Assembly, created in 1992, to honor the memory and legacy of Dr. King and to continue his work through educational, historical, and cultural programs, among other activities. The Commission is implementing the development, creation, and erection of the Virginia Emancipation Proclamation and Freedom Monument to serve as an education site and tool for educating the public about the importance of the Emancipation Proclamation and to memorialize as part of the Monument notable African American Virginians who have made significant contributions to the emancipation and freedom of formerly enslaved persons or descendants.

The Commission received funding to help in the planning, design, fabrication, and installation from the General Assembly in 2012 and has selected artist Thomas J. Warren of Oregon to fabricate and install the 12-foot monument on Brown's Island in time to commemorate the 400th anniversary of the arrival of the first recorded Africans to English North America in Jamestown.

As owner of Brown's Island, City staff have been part of the discussions related to the placement of the Monument on Brown's Island, and have advised the Commission on the necessary processes necessary to place the Monument on Brown's Island. Further City staff will work with the Commission—and Venture Richmond—on the relocation of the existing artwork on the site, "The Mill" to another location, and will work with the Commission on securing the necessary approvals to do so.

City Administration recommends approval of this ordinance.

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## **FINDINGS OF FACT**

### **Site Description**

A 1,256 SF portion of the City-owned property known as Brown's Island

### **Master Plan & Zoning**

The Downtown Plan includes the subject property within a Natural Area. Such areas are characterized by "a wilderness landscape that is untouched by development, and whose ecological features are preserved. The uninhabited islands in the James River are an example of a wilderness condition in Downtown Richmond. These islands remain unsettled due to periodic flooding of the river, and are preserved in their natural condition. Buildings are typically not located in Natural Areas, except in special cases" (p. 3.20).

The subject property is zoned in the DCC - Downtown Civic and Cultural District, which is intended to be applied to sites containing or adjacent to a major public space or building intended for public assembly. The district is intended to permit the public assembly use itself, while also fostering the occupancy of adjacent sites by entertainment, cultural, and/or tourism-oriented uses that have a mutually supportive relationship with the public assembly use. The range of permitted uses is intended to generally result in a concentration of establishments with a high degree of pedestrian attraction, and the development standards are intended to result in a relatively uninterrupted collection of such uses along or around a major public space within the district.

Properties within the area are zoned in the B-4 Central Business District and M-1 Light Industrial District. A mix of commercial, office, industrial, public-open space, government, and vacant land uses are present in the area.

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