



CITY OF RICHMOND

Department of Planning & Development Review *Staff Report*

Ord. No. 2020-241: To authorize the Chief Administrative Officer, for and on behalf of the City of Richmond, to execute certain Deeds of Easement between the City of Richmond and the Commonwealth of Virginia, Department of General Services, for the purpose of granting to the Commonwealth of Virginia, Department of General Services, certain perpetual, irrevocable easements on, over, under, and across certain rights-of-way located along North 9th Street, East Franklin Street, East Grace Street, and East Broad Street for the construction or installation of certain improvements and safety and security enhancements as part of the Capitol Complex Infrastructure and Security construction projects.

To: City Planning Commission
From: Land Use Administration
Date: December 7, 2020

PETITIONER

Department of Public Works

LOCATION

City Right-of-Way:

North 9th Street, between Bank Street and East Broad Street

East Broad Street, between 9th Street and 12th Street/Governor Street

PURPOSE

To authorize the Chief Administrative Officer (CAO) to execute and enter into Deeds of Easement Agreements between the City of Richmond and the Commonwealth of Virginia, Department of General Services along certain City owned Right-of-Way.

SUMMARY & RECOMMENDATION

Per the Commonwealth's Capitol Area Enhancement Plan, State Legislation and General Assembly budget as signed into law by Governor Northam on May 21, 2020 (effective July 1, 2020), the Commonwealth, through the Department of General Services is requesting easements within the City right of way for easements described below and as shown on the attached plats:

1. Vault Easement

As part of the new General Assembly Building (GAB) construction, Dominion has installed a utility vault within the right of way along East Broad Street. This utility vault will contain Dominion equipment that will provide service only to the new General Assembly Building.

2. Sidewalk Easements

In order to further support the Commonwealth's Capitol Area Enhancements and to support their construction project and safety and security enhancements, variable width sidewalk easements are required. These variable width easements will be located within the City right of way along the following locations:

- North 9th Street – Sidewalks between East Broad and Bank Street
- South side of Broad Street – Sidewalk between North 9th and 12th Streets/Governor Street

3. Pedestrian Tunnel Easement

Construction of a pedestrian tunnel has been installed beneath 9th Street that will provide an underground pedestrian access from the General Assembly Building to the future parking deck between 8th and 9th Street along Broad Street. The tunnel is 58 feet in length by 15 feet in height and is approximately 22 feet below existing grade.

As State Budget adopted by Governor Northam on May 21, 2010 (effective July 1, 2020) as per request of HB5005: Pursuant to projects authorized and funded, the General Assembly appropriated funds to the Department of General Services (DGS) for Capitol Complex Infrastructure and Security construction projects.

Project work includes improvements and safety and security enhancements to be constructed or installed within the City right-of-way of North 9th Street (between the area north of where Bank Street intersects North 9th Street and south of where North 9th Street intersects East Broad Street) and within the right-of-way of East Broad Street (between the area from where the western right-of-way line of North 9th Street intersects East Broad Street to where the western right-of-way line of Governor Street intersects East Broad Street).

Accordingly, the City and DGS shall enter into a deed of easement or other proper instruments, in such form approved by the Offices of the City Attorney and of the Commonwealth Office of the Attorney General, whereby the City, without charge to the Commonwealth, shall grant to DGS, as agent of the Commonwealth, where mutually agreeable across, over, under and above the referenced right-of-way of North 9th Street and East Broad Street.

The City, without expending City funds, is cooperating with DGS (1) to support the referenced construction project work and incorporation of safety and security enhancements at and along North 9th Street and East Broad Street, (2) to relocate any utilities located in the agreed upon easement area, if necessary, and (3) to coordinate any closure or other traffic flow controls of North 9th Street and East Broad Street during the performance of the construction projects and the incorporation of any safety and security features that will enhance safety and security around the perimeter of Capitol Square.

Staff finds the proposed easements would enable proper operations and maintenance of Commonwealth of Virginia facilities, and would enable security enhancements, as required by state mandate.

Therefore, staff recommends approval of the Ordinance.

FINDINGS OF FACT

Site Description

City Right-of-Way: North 9th Street, between Bank Street and East Broad Street; East Broad Street, between 9th Street and 12th Street/Governor Street.

Proposed Use of the Property

Vault Easement: As part of the new General Assembly Building (GAB) construction, Dominion has installed a utility vault within the right of way along East Broad Street. This utility vault will contain Dominion equipment that will provide service only to the new General Assembly Building.

Sidewalk Easements: In order to further support the Commonwealth's Capitol Area Enhancements and to support their construction project and safety and security enhancements, variable width sidewalk easements are required. These variable width easements will be located within the City right of way along North 9th Street (Sidewalks between East Broad and Bank Street) and South side of Broad Street (Sidewalk between North 9th and 12th Streets/Governor Street).

Pedestrian Tunnel Easement: Construction of a pedestrian tunnel has been installed beneath 9th Street that will provide an underground pedestrian access from the General Assembly Building to the future parking deck between 8th and 9th Street along Broad Street. The tunnel is 58 feet in length by 15 feet in height and is approximately 22 feet below existing grade.

Master Plan & Zoning

The City's Pulse Corridor Plan designates a future land use category for the majority of the subject area as Institutional. Such areas include public and quasi-public entities, such as local, state, and federal government, hospitals, and universities. Active commercial uses on ground floors are required on primary street frontages. Residential uses may be permitted on the ground floor in certain sections of the area. Ground floor parking prohibited on primary street frontages.

The remaining portion of the area (western portion of North 9th Street from Bank Street to midblock between East Franklin Street and East Grace Street) is designated for Downtown Mixed-Use land use, which is described as central business district of the Richmond region features high-density development with office buildings, apartments, and a mix of complementary uses, including regional destinations.

The rights-of-way are located within the Government Center and VCU Health Station Areas of the Pulse Corridor. According to the Pulse Plan's vision for the Government Center Station Area, "the area continues to be one of the densest areas of the city with new development that matches the intensity of existing buildings but also includes active ground floor uses that enliven the sidewalks, and creates real opportunity to more fully engage the Virginia Biotechnology Research Park and VCU Medical Center campuses with the balance of Downtown. The area continues its evolution into a 24-hour neighborhood as more residents desire to live in the core of the city. City-owned property fosters mixed-income redevelopment."

According to the Plan's vision for the VCU Health Station Area, "the area is enhanced with improved pedestrian connections through the VCU Medical Center campus, while groundfloor uses and new public spaces generate activity at the pedestrian level. Opportunities for more residential and other uses transform the area from a medical center campus into a neighborhood in its own right."

The *Richmond 300* Master Plan recommends a future land use of Institutional for the majority of the subject area, which includes public and quasi-public entities, such as local, state, and federal government, hospitals, universities, schools, and religions institutions.

The remaining portion of the area (western portion of North 9th Street from Bank Street to midblock between East Franklin Street and East Grace Street) is designated for Downtown Mixed-Use land use, which is described as central business district of the Richmond region, features high density development with office buildings, residential buildings, and a mix of complementary uses, including regional destinations in a highly-walkable urban environment.

The rights-of-way are located within the Downtown Core Priority Growth Node. Richmond 300's vision for this node is: "As the highest density of office employment in the region, the Downtown Core continues to serve as the backbone of the local, state, and federal government in Richmond as well as a financial, insurance, biotech, and healthcare center. Over the next 20 years, the Downtown Core continues to transition from a primarily office district to an 18-hour district (18 hours of the day are lively and 6 are sleepy) with a mix of uses, including entertainment, residential, and retail uses. New infill development matches the intensity of existing buildings and includes active ground floor uses that enliven the sidewalks. Signature public spaces and greenways connect the Downtown Core's sub-districts to one another and generate activity at the pedestrian level by increasing pedestrian, bike, and transit connections among the various sub-districts, plazas, parks, and the James River. City-owned property, such as the Coliseum, are redeveloped to foster a mixed-income, mixed-use development that enlivens Downtown by drawing people to Downtown in the evenings and on the weekend."

The current zoning for this property is B-4 - Central Business District, which allows a mix of uses, including government and institutional uses.

Surrounding Area

All surrounding properties are located within the B-4 District. A mix of government, institutional, mixed-use, and open space land uses are present in the vicinity, including Capitol Square, the Virginia Supreme Court Building, St. Paul's Episcopal Church, and City Hall.

Staff Contact:

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