

INTRODUCED: June 9, 2014

AN ORDINANCE No. 2014-140-135

To close to public travel a portion of right-of-way known as Platinum Road, located between its intersection with Belt Boulevard and its intersection with a CSX Transportation, Inc. right-of-way, and consisting of 25,975± square feet, upon certain terms and conditions.

Patron – Mayor Jones (By Request)

Approved as to form and legality
by the City Attorney

PUBLIC HEARING: JULY 14 2014 AT 6 P.M.

THE CITY OF RICHMOND HEREBY ORDAINS:

§ 1. That a portion of right-of-way known as Platinum Road, located between its intersection with Belt Boulevard and its intersection with a CSX Transportation, Inc. right-of-way and consisting of approximately 25,975 square feet, is hereby closed to public travel as a right-of-way of the City of Richmond, as shown enclosed with bold lines on a drawing prepared by the Department of Public Works, designated as DPW Drawing No. N-28589, dated May 14, 2014, and entitled “Proposed Closing to Public Use and Travel of a Portion of Public R/W Known as Platinum Road Located between Belt Boulevard and CSX Transportation, Inc. Railroad R/W,” a copy of which drawing is attached to this ordinance, such right-of-way no

AYES: 9 NOES: 0 ABSTAIN: _____

ADOPTED: JUL 14 2014 REJECTED: _____ STRICKEN: _____

longer being needed for public travel, there existing a superseding public need in connection with outdoor recreational uses incidental to the Hickory Hill Community Center.

§ 2. That section 1 of this ordinance shall become effective only when, within 12 months from the day this ordinance is adopted, the following conditions set forth in this section have been satisfied:

(a) The applicant bears all costs associated with the closing, including, but not limited to, realignment, relocation or removal of utilities or infrastructure, installation of new utilities or infrastructure, new or revised street name or directional signs, streetlights, and similar infrastructure, as required by City agencies.

(b) The applicant makes arrangements satisfactory to public utility or public service corporations whose properties or facilities are in the right-of-way area to be closed either for the removal, relocation or abandonment thereof or for the construction, reconstruction, maintenance and repair thereof, evidence of which shall be in writing, approved as to form by the City Attorney, and filed in the Office of the City Clerk.

(c) The applicant obtains consent to the closing from each of the owners of land, buildings or structures from whom consent is required under section 90-327 of the Code of the City of Richmond (2004), as amended, which consents shall be in writing, approved as to form by the City Attorney, and filed in the Office of the City Clerk.

(d) The applicant removes all cobblestones, bricks, granite curbs, granite stones, granite blocks and other infrastructure materials from the right-of-way area to be closed and delivers all such cobblestones, bricks, granite curbs, granite stones, granite blocks and other infrastructure materials in an undamaged and cleaned condition to a location determined by the Director of Public Works.

(e) The applicant satisfies all terms and conditions requisite for the closing of the right-of-way area to be closed by this ordinance and provides the Division of Permits and Inspections of the Department of Planning and Development Review, the Office of the City Attorney and the Office of the City Clerk with written evidence that all terms and conditions of this ordinance have been satisfied.

§ 3. That the applicant and any successors in interest shall be responsible for stormwater runoff in the right-of-way area to be closed.

§ 4. That the area closed to public travel by effect of section 1 of this ordinance shall not be deemed abandoned by the City of Richmond, as such property is necessary for the public outdoor recreational uses described in section 1 and shall be converted to the appropriate public use in connection therewith.

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



CITY OF RICHMOND
INTRACITY CORRESPONDENCE

O & R REQUEST

MAY 19 2014

Chief Administration Office
City of Richmond

O&R REQUEST

DATE: May 15, 2014

EDITION: 1

TO: The Honorable Members of City Council

THROUGH: Dwight C. Jones, Mayor (By Request)

THROUGH: Byron C. Marshall, Chief Administrative Officer

THROUGH: Christopher L. Beschler, Deputy Chief Administrative Officer

THROUGH: James A. Jackson, Director
Department of Public Works

THROUGH: M.S. Khara, P.E., City Engineer
Department of Public Works

FROM: Marvin Anderson
Department of Public Works

RE: PROPOSED CLOSING OF A PORTION OF PUBLIC RIGHT OF WAY
KNOWN AS PLATINUM ROAD LOCATED BETWEEN BELT
BOULEVARD AND THE CSX TRANSPORTATION, INC. RAILROAD R/W

ORD. OR RES No. _____

PURPOSE: To close to public use and travel a portion of public right of way containing 25,975 square feet shown enclosed with bold lines and illustrated on a plan prepared by the Department of Public Works, designated as DPW Dwg No. N-28589 dated May 14, 2014 (Project No. C-906-SC) entitled "PROPOSED CLOSING TO PUBLIC USE AND TRAVEL OF A PORTION OF PUBLIC R/W KNOWN AS PLATINUM ROAD LOCATED BETWEEN BELT BOULEVARD AND CSX TRANSPORTATION, INC. RAILROAD R/W" at the request of the Department of Parks and Recreation.

REASON: Letter of request dated September 23, 2013 from Dr. Norman C. Merrifield, Ed., D. Director Department of Parks, Recreation and Community Facilities requested the closure of noted right of way. Said letter states that the r/w and its two adjacent parcels (already owned by the City) is near Hickory Hill Community Center and is under design for the development of an athletic field for use by citizens using the facility.

Handwritten signatures and initials, including one that appears to be 'Byron C. Marshall'.

RECEIVED
MAY 21 2014
OFFICE OF CITY ATTORNEY

RECOMMENDATIONS: The Department of Public Works offers no objections to the proposed right-of-way closing, and requests that any approvals be subject to, and including without limitation, the following terms and conditions:

1. The applicant(s)/owner(s)/successor(s) shall be responsible for any and all costs associated with the proposed closing, including without limitation, realignment, relocation, or removal of utilities or infrastructures, installment of new utilities or infrastructures, new or revised street name or directional signs, streetlights, etc., as required or directed by City Agencies.
2. The applicant(s)/owner(s)/successor(s) shall identify and protect the rights of any public and/or private owners or utilities who may have a vested interest or facilities in subject right-of-way.
3. A twelve-month expiration clause shall be included whereby all conditions must be satisfied by the applicant(s)/owner(s)/successor(s) within twelve (12) months of the ordinance adoption date, unless a different timeframe is explicitly noted for a particular condition, and approved by the City before the ordinance can go into effect.
4. The applicant(s)/owner(s)/successor(s) shall be responsible for storm water runoff in the area to be closed.
5. The applicant(s)/owner(s)/successor(s) shall be responsible for obtaining the written consent of all abutting landowners to the closing.
6. Any City infrastructure components that may be located within the section of Platinum Road to be closed shall be carefully collected, securely stored and transported to a City facility (specific location to be determined when the move it to occur). This includes, but is not limited to, cobblestones, bricks and granite curb.
7. The Department of Parks and Recreation will be responsible for providing the Law Department with written evidence that all conditions of the ordinance have been satisfied. Should this written evidence not be submitted to the said offices prior to the expiration date, twelve months after final approval of the ordinance, the ordinance will become null and void automatically.

BACKGROUND: The City owns the parcels on both sides of the r/w to be vacated. The Department of Parks and Recreation plans to combine the vacated r/w area with these parcels to create an area for a lighted, multi-use athletic field. This proposed addition will increase the available outdoor recreation uses at this site located near the Hickory Hill Community Center.

Access to the bridge crossing the railroad tracks along Platinum Road was closed and barricaded several years ago due to safety concerns and the bridge has recently been removed by CSX. There are no plans for a new bridge by CSX or the City. Therefore this right of way between Belt Boulevard and the railroad right-of-way is currently not serving any purpose to the City or public. For this reason the Department of Public Works does not object to the closure and transfer of the property to the applicant.

The value of the right of way to be vacated, 25,975 sf, has been determined by evaluating the assessed value of the adjacent properties. It has been set at \$0.525/square foot for a total of \$13,636.88.

Other reviewing administrative agencies offered no objections to the closing request.

FISCAL IMPACT/COST: None anticipated.

FISCAL IMPLICATIONS: None anticipated.

BUDGET AMENDMENT NECESSARY: No amendment necessary.

REVENUE TO CITY: None

DESIRED EFFECTIVE DATE: Upon Adoption.

REQUESTED INTRODUCTION DATE: June 9, 2014

CITY COUNCIL PUBLIC HEARING DATE: July 14, 2014.

REQUESTED AGENDA: Consent Agenda.

RECOMMENDED COUNCIL COMMITTEE: Land Use Housing and Transportation Standing Committee, June 17, 2014

CONSIDERATION BY OTHER GOVERNMENTAL ENTITIES: Planning Commission

AFFECTED AGENCIES: Public Works; Law Department; Planning and Community Development; Economic Development; Assessor; Budget and Strategic Planning; Fire Department; Police Department, Mayor's Office, CAO's Office, Finance, City Attorney

RELATIONSHIP TO EXISTING ORD. OR RES.: None

REQUIRED CHANGES TO WORK PROGRAM(S): None.

ATTACHMENTS: Applicant's request letter, DPW Dwg. No. N-28589

STAFF:

Prepared for James Jackson

Prepared by Marvin Anderson

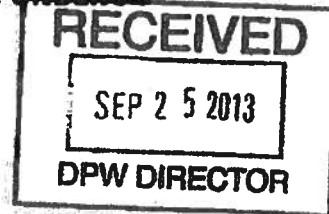
Research and Drawing Coordinated By: Jane Amory

Department of Public Works

646-0435




CITY OF RICHMOND
INTRACITY CORRESPONDENCE



DATE: September 23, 2013

TO: James Jackson, Director
Department of Public Works

FROM:  Norman C. Merrifield, Ed. D. Director Department of Parks,
Recreation and Community Facilities

SUBJECT: Right of Way Closings/Abandonment

As part of the development of two (2) new recreation and park assets for the City, we are requesting your assistance on the abandonment of three (3) Right-of- Ways for these projects.

Project 1 is the Historic Fulton Memorial Park (611 Goddin Street). Immediately adjacent to our park property are the unused portions of the roadways Fulton Street and Williamsburg Avenue. Neither of the abandoned portions of these streets has been used as a public thoroughfare for many years. We need the portions of these roads officially closed and abandoned in order to develop the triangular park property into a park dedicated to the history, culture and vibrancy of the former Fulton Bottom neighborhood.

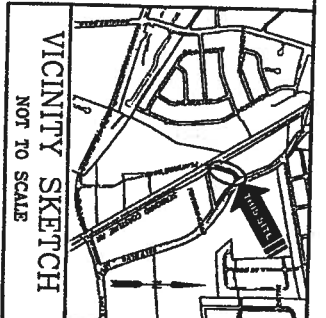
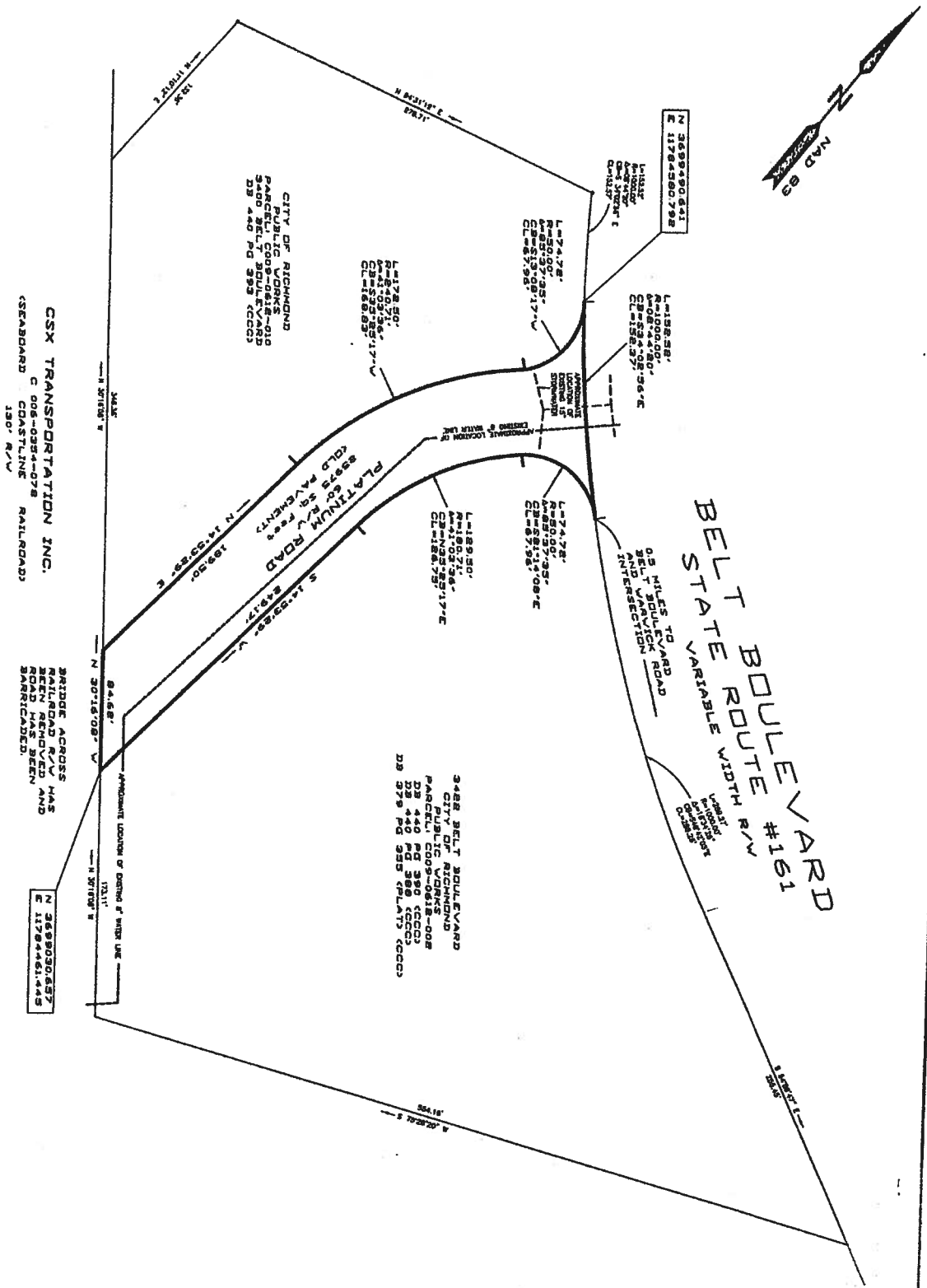
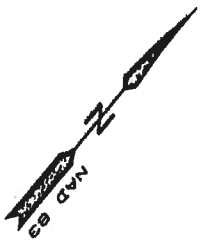
Project 2 is a partial abandonment of the Platinum Road near our Hickory Hill Community Center (3400-3422 E. Belt Boulevard). This area in question is now under design for the development of an athletic field for the use and enjoyment of the youth and adult participants at the center.

Ideally, if possible, we would like to have your administrative approval of the abandonment of these long closed and unused portions of roadways so we can move ahead with our development plans.

If you have additional questions, I can be reached at X5717.

Thank you for your consideration.

C: Larry Miller, Deputy Director - Parks and Facilities
Heywood Harrison, Dept. Architect
Floyd Everett, Supt. of Facilities Maintenance
File - 09232013



- NOTES:
1. PROPOSED PORTION OF PLATINUM ROAD THAT IS PROPOSED TO BE CLOSED TO PUBLIC USE AND TRAVEL IS SHOWN IN BOLD LINES. 25,975 SQ.FT.
 2. THIS DRAWING IS BASED ON A COMPARISON OF DATA FROM RECORD SURVEYS AND A BOUNDARY SURVEY PLAT BY [REDACTED] DATED MARCH AND 2014 TITLED "PLAN TO CLOSE A PORTION OF PLATINUM ROAD BETWEEN BELT BOULEVARD AND SEABOARD COASTLINE RAILROAD."
 3. SINCE THE CLOSED R/W WILL CONTINUE TO BE CITY PROPERTY THERE WILL BE NO EASEMENTS RETAINED FOR EXISTING PUBLIC UTILITIES. HOWEVER, TO PERMANENT OR SIGNIFICANT STORMWATER FACILITIES WILL BE ALLOWED WITHIN EIGHT (8) FEET OF THE EXISTING UTILITIES AND STORM WATER INFRASTRUCTURE.



Council District 8 Block No. C-908

PROPOSED CLOSING TO PUBLIC USE AND TRAVEL OF A PORTION OF PUBLIC R/W KNOWN AS PLATINUM ROAD LOCATED BETWEEN BELT BOULEVARD AND CSX TRANSPORTATION, INC RAILROAD R/W

Requested by: LETTER OF REQUEST DATED SEPTEMBER 23, 2013 FROM NORMAN C. HERRINGTON, JR., D. DIRECTOR DEPARTMENT OF PARKS, RECREATION & COMMUNITY PLAZAS

FIELD NOTE	SCALE	DATE	PROJECT	DRAWING NO.
	1"=50'	5/14/14	C-908-SC	N28589



DRAWN BY: JVA
CHECKED BY: JVA

Surveys Division, Room 600 City Hall
900 E. Broad Street, Richmond, Va. 23219
DEPARTMENT OF PUBLIC WORKS
RICHMOND, VIRGINIA

Drafting Technician *[Signature]*
Surveys Superintendent *[Signature]*

Right of Way Manager

REVISIONS

NOTES:
PROPERTY OWNERS CORRECT AS OF MAY 14, 2014
ORDINANCE
ACCEPTED
REFERENCES: B1 1285V

CSX TRANSPORTATION INC.
<SEABOARD C COE-COASTLINE RAILROAD>
130' R/W

BRIDGE ACROSS RAILROAD R/W HAS BEEN REMOVED AND RECONSTRUCTED

N 3699200657
E 11794461445