



CITY OF RICHMOND

Department of Planning & Development Review *Staff Report*

Ord. No. 2016-098: To declare that a public necessity exists and to authorize the acquisition of certain interests in real estate located east of Capitol Square for improvements related to Main Street Station and for public right-of-way purposes.

Ord. No. 2016-099: To declare surplus and direct the conveyance of City-owned interests in real estate located east of Capitol Square for nominal consideration for the purpose of clarifying the property interests held by the City and the Commonwealth.

To: City Planning Commission
From: Land Use Administration
Date: April 18, 2016

PETITIONER

City of Richmond, Department of Public Works

LOCATION

A portion of North 12th Street/Governor Street from its intersection with East Broad Street to its intersection with Bank Street

PURPOSE

To repeal or amend Ordinance No. 2005-231-209 and adopt any other ordinances necessary to accomplish the following:

- (1) To close to public use and travel the right-of-way beginning at the south right-of-way line of E. Broad Street, and running south on 12th Street for approximately 139 feet ± where the street name changes to Governor Street, then continuing south on Governor Street to the north right-of-way line of Bank Street, to public use and travel containing 50,377± square feet, as shown enclosed with bold lines and noted on a plan prepared by the Department of Public Works and designated as DPW Dwg. No. O-23817, dated April 17, 2003 entitled "PROPOSED CLOSING OF 12th STREET/ GOVERNOR STREET FROM BROAD STREET TO BANK STREET." (Note: This being the same portion of right-of-way that Ordinance No. 2005-231-209 closes upon the satisfaction of certain conditions, which have not been satisfied). Such closure shall not take effect until the conditions listed on the document attached hereto entitled GOVERNOR STREET CLOSURE TERMS AND CONDITIONS and dated February 16, 2016, are satisfied (the "Conditions") and shall be subject to the terms listed thereon (the "Terms"). In relation to the closure, the ordinance(s) should also:
 - a. Authorize the Chief Administrative Officer to accept any property interests required to be conveyed to the City by the Conditions.

- b. Authorize the Chief Administrative Officer to execute the Memorandum of Understanding, following execution of such MOU by the Commonwealth as required by the Conditions.
 - c. Authorize the Director of Public Utilities to execute the Utilities Review Agreement, following execution of such Utilities Review Agreement by the Commonwealth as required by the Conditions.
- (2) To authorize the Chief Administrative Officer to convey via quitclaim deed any interest the City may hold in those certain areas described on the document attached hereto entitled CAPITOL SQUARE QUITCLAIM TO COMMONWEALTH, dated February 16, 2016, subject to the limitations stated thereon; such areas being generally shown labeled as Section 2(1), Section 2(2), and Section 2(3) on DPW Drawing No. N-28630, dated April 27, 2015, and entitled "Sketch Showing Various Areas Referenced in Ordinance Concerning Properties of the City of Richmond and the Commonwealth of Virginia."

SUMMARY & RECOMMENDATION

The closure of 12th Street/Governor Street between Bank Street and E. Broad Street was previously approved by Ordinance No. 2005-162-152, adopted July 25, 2005, which was amended by Ordinance No. 2005-231-209, adopted on October 10, 2005 but the conditions of the ordinance, as amended, were never satisfied.

Recent discussions and negotiations between the Commonwealth and the City have led to this proposed ordinance which for closing the 12th Street/Governor Street rights-of-way. In addition, the ordinances will provide clarity of property interests for both Commonwealth and the City in the area located east of Capitol Square. For example:

1. Numerous streets and alleys have been vacated throughout the Capitol Square area over the years but some uncertainty seems to exist as to whether, within certain areas, all City interests have been vacated and whether a clear title now rests with the Commonwealth. The proposed ordinances would allow for the City to quitclaim any interests it may still have in these areas.
2. During the project to relocate N 15th Street between E. Main Street and E. Franklin Street, certain property owned by the Commonwealth of Virginia was needed for right-of-way which would leave a residual parcel between the new street and the Interstate 95 right-of-way. This proposed ordinances require the conveyance of this parcel and right-of-way from the Commonwealth to the City and authorize the CAO to accept such conveyance on behalf of the City.
3. Records are unclear as to whether the City received all conveyances for rights-of-way of N.14th Street (between E. Main Street and E. Broad Street) and also Bank Street/E. Franklin Street (between N.13th St/Governor Street and existing 15th Street) during their relocations. In an attempt to establish a clearer title to these rights-of way, the proposed ordinances require for the Commonwealth to convey to the City any interests it may have in these properties and authorize the CAO to accept such conveyance on behalf of the City.

The Department of Public Works recommends adoption of Ordinance Nos. 2016-98, 2016-99 & 2016-105.

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