

INTRODUCED: December 13, 2021

AN ORDINANCE No. 2021-357

To close, to public travel, an unimproved portion of Hanover Avenue in the block bounded by Three Chopt Road and the City’s corporate boundary with Henrico County, consisting of 6,219± square feet, and to designate and incorporate such portion of Hanover Avenue into Bandy Field Park.

Patron – Mayor Stoney

Approved as to form and legality
by the City Attorney

PUBLIC HEARING: JAN 10 2022 AT 6 P.M.

WHEREAS, pursuant to Ordinance No. 2014-028-35, adopted March 24, 2014, the City granted a conservation and open-space easement (hereinafter referred to as “the Conservation Easement”) for the City-owned property generally known as Bandy Field Park to the Friends of Bandy Field, Inc.; and

WHEREAS, by Resolution No. 2020-R067, the Council requested, in part, that the Chief Administrative Officer cause the planned, but not constructed streets that are currently excluded from the Conservation Easement to be extinguished and incorporated into Bandy Field Park;

NOW, THEREFORE,

THE CITY OF RICHMOND HEREBY ORDAINS:

AYES: 9 NOES: 0 ABSTAIN: _____

ADOPTED: JAN 24 2022 REJECTED: _____ STRICKEN: _____

§ 1. That

(a) pursuant to the authority granted to the City by section 2.03(b) of the Charter of the City of Richmond (2020), as amended, and notwithstanding any provision of Chapter 24, Article IV of the Code of the City of Richmond (2020), as amended, to the contrary, an unimproved portion of Hanover Avenue in the block bounded by Three Chopt Road and the City's corporate boundary with Henrico County, consisting of approximately 6,219 square feet, as shown enclosed with bold lines on a drawing prepared by the Department of Public Works, designated as DPW Drawing No. N-28975, dated October 8, 2021, and entitled "Proposed Closing to Public Use and Travel of Hanover Avenue between Three Chopt Road and City's Corporate Limits with Henrico County," a copy of which drawing is attached to this ordinance, is hereby closed to public travel as a right-of-way of the City of Richmond.

(b) Such street, as presently existing, is deemed to be no longer needed for the public convenience for use as a street, there existing a superseding public need in connection with the establishment of park property for public purposes and uses incidental thereto.

(c) The street closed to public travel by this section 1 shall not be deemed abandoned by the City, as such property is necessary for the public park purposes referenced above and shall be converted to appropriate public use in connection therewith.

§ 2. That this ordinance, as to the closing to public travel of the street identified in subsection (a) of section 1 of this ordinance, shall become effective only when the Department of Public Works has made arrangements satisfactory to public utility or public service corporations whose properties or facilities are in the right-of-way area to be closed, if any, either for the removal, relocation or abandonment thereof or for the construction, reconstruction, maintenance and repair

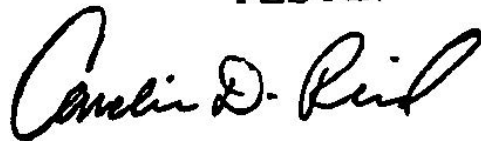
thereof, evidence of which shall be in writing, approved as to form by the City Attorney, and filed in the office of the City Clerk.

§ 3. That, at such time as this ordinance becomes effective, the unimproved portion of Hanover Avenue described in subsection (a) of section 1 of this ordinance shall be designated and incorporated into Bandy Field Park and placed into the City's park system.

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

A TRUE COPY:

TESTE:

A handwritten signature in black ink, appearing to read "Carolin D. Rind". The signature is written in a cursive, flowing style.

City Clerk



CITY OF RICHMOND

INTRACITY CORRESPONDENCE

O&R REQUEST

DATE: November 12, 2021 **EDITION:** 1

TO: The Honorable Members of City Council

THROUGH: The Honorable Levar M. Stoney, Mayor

THROUGH: J.E. Lincoln Saunders, Chief Administrative Officer

THROUGH: Robert Steidel, Deputy Chief Administrative Officer

THROUGH: Bobby Vincent Jr., Director
Department of Public Works

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

FROM: Joseph Davenport, P.E., Acting Right of Way Manager
Department of Public Works

**RE: PROPOSED CLOSING TO PUBLIC USE AND TRAVEL THE UNIMPROVED
RIGHT-OF-WAY KNOWN AS HANOVER AVENUE BETWEEN THREE
CHOPT ROAD AND CITY OF RICHMOND CORPORATE LIMITS WITH THE
COUNTY OF HENRICO**

ORD. OR RES No. _____

PURPOSE: To close to public use and travel the unimproved public right of way known as Hanover Avenue located between Three Chopt Road and the City of Richmond Corporate Limits with Henrico County consisting of 6219 sq. ft. as shown on DPW Dwg. No. N-28975 dated 10/08/2021 and entitled "PROPOSED CLOSING TO PUBLIC USE AND TRAVEL OF HANOVER AVENUE BETWEEN THREE CHOPT ROAD AND CITY'S CORPORATE LIMITS WITH HENRICO COUNTY" at the request of the Richmond City Council by Resolution No. 2020-R067.

REASON: The Richmond City Council adopted Resolution No. 2020-R067 on January 11, 2021 in which Council requested that the Chief Administrative Officer cause the planned, but not constructed, streets within Bandy Field Park to be extinguished, and incorporate these vacated rights-of-way into Bandy Field Park.

RECOMMENDATIONS: The Department of Public Works offers no objections to the proposed right-of-way closing and requests that upon adoption by City Council, the closings to public and travel will be in effect and the vacated right-of-way revert to and become a portion of the adjacent parcels.

BACKGROUND: Bandy Field Park lies on the west side of Three Chopt Road and north side of Bandy Road. The City's Corporate Limits Line with adjacent Henrico County is approximately 250' west of the western right-of-way line of Three Chopt Road. Bandy Field Park straddles the City Corporate Limits line, with significant portions of the park in both jurisdictions.

An unimproved 25'+/- wide right of way runs westerly 250'+/- from Three Chopt Road approximately midway between the parks northern and southern boundaries. This right-of-way is designated as Hanover Avenue within the City of Richmond and continues as Franklin Road within Henrico County.

The City, as owner of the property known as Bandy Field Park, granted by Ordinance No. 2014-028-35, adopted March 24, 2014, a conservation and open-space easement over the property to the Friends of Bandy Field, Inc. The previously mentioned unimproved rights-of-way for Hanover Avenue (City of Richmond) and Franklin Road (County of Henrico) were excluded from the conservation easement.

By Resolution No. 2020-R067 the Richmond City Council requested that the Chief Administrative Officer cause the planned, but not constructed streets running through Bandy Field Park that were excluded from the conservation easement to be extinguished, and incorporate these vacated right-of way into Bandy Field Park.

The Friends of Bandy Field have been in contact with the County of Henrico and are coordinating with them regarding the vacation of the portion of unimproved County right-of-way (Franklin Road) within Bandy Field Park; however, this paper is focused upon and is limited to the request that City Council authorize the vacation of the portion of unimproved City right-of-way known as Hanover Avenue.

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

FISCAL IMPACT/COST: None

FISCAL IMPLICATIONS: None

BUDGET AMENDMENT NECESSARY: No amendment necessary at this time.

REVENUE TO CITY: None

DESIRED EFFECTIVE DATE: Upon Adoption

REQUESTED INTRODUCTION DATE: December 13, 2021

CITY COUNCIL PUBLIC HEARING DATE: January 10, 2022

REQUESTED AGENDA: Consent Agenda

RECOMMENDED COUNCIL COMMITTEE: None

CONSIDERATION BY OTHER GOVERNMENTAL ENTITIES: Planning Commission

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

RELATIONSHIP TO EXISTING ORD. OR RES.: Res No. 2020-R067; Ord No. 2014-028-35

REQUIRED CHANGES TO WORK PROGRAM(S): Reduced maintenance of public right-of-way

ATTACHMENTS: Resolution No. 2020-R067 (adopted January 11, 2021)
DPW Dwg. No. N-28975 (dated October 8, 2021)

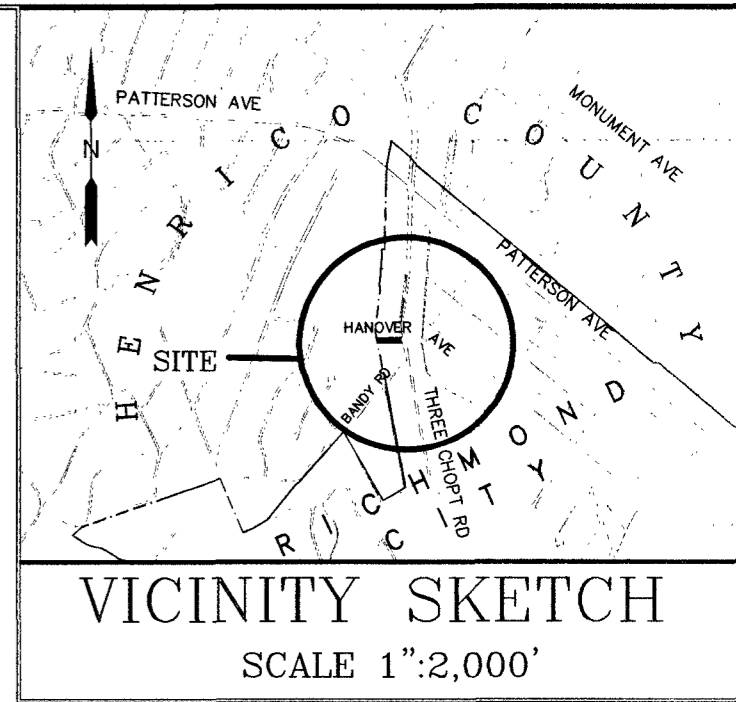
STAFF:

Prepared for Bobby Vincent, Jr., Director, DPW

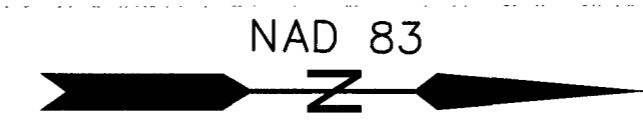
Prepared by Marvin Anderson, Program & Operations Manager for Surveys, DPW

Research and Drawing Coordinated by Shenouda Guergues, DPW

Department of Public Works / 646-0435



H E N R I C O C O U N T Y



OWNER: CITY OF RICHMOND
GPIN #763-738-0645
#702 FRANKLIN ROAD

OWNER: CITY OF RICHMOND
GPIN #763-738-0799
#701 FRANKLIN ROAD

N: 3738702.868
E: 11763112.932

L= 25.70'
R=770.02
CHD L=25.70'
CHD BEAR= N5°15'07"W

R I C H M O N D C I T Y

CITY OF RICHMOND RECREATION & PARKS
W021-0172-002
#6701 THREE CHOPT ROAD

CITY OF RICHMOND RECREATION & PARKS
W021-0172-001
#6801 THREE CHOPT ROAD

HANOVER AVE
N81°22'34"W
250.24'
247.69'
S81°23'12"E

N: 3738691.3639
E: 11763355.4765

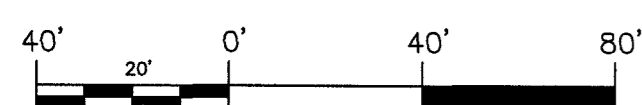
BANDY ROAD
30'+/- PUBLIC ROW

N: 3738422.1003
E: 11763406.3213

247.55' TO NW ROW LINE OF BANDY RD
S10°35'36"E
26.47'

T H R E E C H O P T R O A D

VARIABLE WIDTH PUBLIC ROW



NOTE:

- THIS DRAWING IS BASED ON A COMPILATION OF DATA FROM RECORD SOURCES AND DRAWING NO N28445 PREPARED BY DEPARTMENT OF PUBLIC WORKS - CITY OF RICHMOND, TITLED "CITY PROPERTY AT THE INTERSECTION OF BANDY ROAD AND THREE CHOPT ROAD (BANDY FIELD) LOCATED IN HENRICO COUNTY AND THE CITY OF RICHMOND" DATED 10/26/2011
- THE PORTION OF RIGHT OF WAY PROPOSED TO BE CLOSED TO PUBLIC USE & TRAVEL IS ENCLOSED IN BOLD LINES: 6,219 S.F.
- FRANKLIN RD BETWEEN GPIN #763-738-0799 AND GPIN #763-738-0645 IS TO BE VACATED BY HENRICO COUNTY.
- BANDY FIELD CONSERVATION AND OPEN SPACE EASEMENT WAS ESTABLISHED BY COR, CITY COUNCIL ORDINANCE # 2014-028-35. DEED OF EASEMENT IS RECORDED IN CITY OF RICHMOND COURTHOUSE, CIRCUIT COURT CLERK, INSTRUMENT #140005667

Council District 1

Block No. W-21-172

NOTES

- Property owners correct as of 10/08/2021
- Ordinance _____
- Adopted _____
- Accepted _____

Engineering Specialist:
Shenouda Guergues *Shenouda Guergues*

Op. Mgr. For Surveys:
Marvin W. Anderson *Marvin W. Anderson*

ROW Manager (Acting):
Joseph L. Davenport Jr *Joseph L. Davenport Jr*

Surveys Division, Room 600 City Hall
900 E. Broad Street, Richmond, Va. 23219



PROPOSED CLOSING TO PUBLIC USE AND TRAVEL OF
HANOVER AVENUE BETWEEN THREE CHOPT ROAD AND
CITY'S CORPORATE LIMITS WITH HENRICO COUNTY

Requested By: City Council Resolution No. 2020-R067

REFERENCES: BL 100SW, N28445

REVISIONS:

DEPARTMENT OF PUBLIC WORKS
RICHMOND, VIRGINIA

DRAWN BY: SG
CHECKED BY: MWA

| | | | | |
|------------|-----------------|--------------------|------------------------|-----------------------|
| FIELD NOTE | SCALE 1"=40' | DATE 10/08/2021 | PROJECT W-21-172-SC | DRAWING NO. N28975 |
|------------|-----------------|--------------------|------------------------|-----------------------|