

INTRODUCED: September 11, 2017

AN ORDINANCE No. 2017-164

To declare that a public necessity exists and to authorize the acquisition by gift, purchase, condemnation, or otherwise of a fee simple interest at the intersection of Forest Hill Avenue and the Powhite Parkway for the purpose of constructing multimodal transportation and drainage improvements along Forest Hill Avenue between its intersection with Hathaway Road and its intersection with the Powhite Parkway.

Patron – Mayor Stoney

Approved as to form and legality
by the City Attorney

PUBLIC HEARING: SEPT 25 2017 AT 6 P.M.

WHEREAS, in the opinion of the Council of the City of Richmond, a public necessity exists for the acquisition of an approximately 1,292.4 square foot fee simple interest on property of the Richmond Metropolitan Transportation Authority located at the intersection of Forest Hill Avenue and the Powhite Parkway and identified as Tax Parcel No. C004-0186/002 in the 2017 records of the City Assessor, as shown on sheet P5 of a drawing prepared by Stantec Consulting Services, Inc., designated as DPW Drawing No. O-28559, dated December 2, 2013, sealed on July 28, 2017, and entitled “Forest Hill Avenue Compiled Plat Showing Proposed Right-of-Way

AYES: 9 NOES: 0 ABSTAIN: _____

ADOPTED: SEPT 25 2017 REJECTED: _____ STRICKEN: _____

Acquisition, Permanent Easements, & Temporary Construction Easements,” for the purpose of constructing multimodal transportation and drainage improvements along Forest Hill Avenue between its intersection with Hathaway Road and its intersection with the Powhite Parkway;

NOW, THEREFORE,

THE CITY OF RICHMOND HEREBY ORDAINS:

§ 1. That a public necessity exists for the acquisition of an approximately 1,292.4 square foot fee simple interest on the property identified as Tax Parcel No. C004-0186/002 in the 2017 records of the City Assessor, as shown on sheet P5 of a drawing prepared by Stantec Consulting Services, Inc., designated as DPW Drawing No. O-28559, dated December 2, 2013, sealed on July 28, 2017, and entitled “Forest Hill Avenue Compiled Plat Showing Proposed Right-of-Way Acquisition, Permanent Easements, & Temporary Construction Easements,” a copy of which is attached to this ordinance, for the purpose of constructing multimodal transportation and drainage improvements along Forest Hill Avenue between its intersection with Hathaway Road and its intersection with the Powhite Parkway.

§ 2. That the Chief Administrative Officer or the designee thereof is hereby authorized and directed to, within the constraints imposed by this ordinance, (i) acquire, by gift, purchase, condemnation or otherwise, the aforementioned fee simple interest (ii) act for and on behalf of the City of Richmond in agreeing or disagreeing with the owner of the property from whom such fee simple interest must be acquired upon the compensation to be paid therefor, and (iii) to execute the deeds and other documents necessary to complete the acquisition and acceptance of such fee simple interest, provided that all such deeds and other documents first must be approved as to form by the City Attorney or the designee thereof.

§ 3. That in the event the City cannot agree with the owner of the fee simple interest to be acquired pursuant to this ordinance on the terms of purchase thereof, the City Attorney is authorized to acquire such fee simple interest by undertaking appropriate condemnation proceedings to exercise the City's power of eminent domain for the purpose of constructing multimodal transportation and drainage improvements along Forest Hill Avenue between its intersection with Hathaway Road and its intersection with the Powhite Parkway.

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



CITY OF RICHMOND

INTRACITY CORRESPONDENCE

O & R REQUEST

4-6908
AUG 17 2017

Office of the
Chief Administrative Officer

O&R REQUEST

DATE: August 16, 2017

EDITION: 1

TO: The Honorable Members of City Council

THROUGH: The Honorable Levar M. Stoney; Mayor *LS*

THROUGH: Selena Cuffee-Glenn; Chief Administrative Officer *SCG*

THROUGH: Robert C. Steidel, Acting Deputy Chief Administrative Officer - Operations *RS*

THROUGH: Bobby Vincent; Director of Public Works *BV*

THROUGH: M.S. Khara, P.E.; City Engineer *MSK*

THROUGH: Lamont L. Benjamin, P.E; Capital Projects Administrator *LLB*

FROM: Kevin T. Newcomb, P.E., Project Manager *KN*

RE: TO DECLARE THAT A PUBLIC NECESSITY EXISTS AND TO AUTHORIZE THE ACQUISITION BY GIFT, PURCHASE, CONDEMNATION OR OTHERWISE OF RIGHT OF WAY IN THE AMOUNT OF 1,292.4 SF AS SHOWN ON THE ATTACHED PLAT, PREPARED BY STANTEC CONSULTING, AND DESIGNATED AS DPW DWG NO. O-28559, P5 OF P9, SUCH RIGHT OF WAY BEING IN ADDITION TO THE ACQUISITION AUTHORIZED BY ORDINANCE NO. 2014-88-62, ADOPTED ON APRIL 14, 2014, FOR THE PURPOSE OF CONSTRUCTING MULTIMODAL TRANSPORTATION AND DRAINAGE IMPROVEMENTS ALONG FOREST HILL AVENUE BETWEEN ITS INTERSECTION WITH HATHAWAY ROAD AND ITS INTERSECTION WITH THE POWHITE PARKWAY.

ORD. OR RES. No. _____

PURPOSE: To declare that a public necessity exists and to authorize the acquisition by gift, purchase, condemnation or otherwise of right of way in the amount of 1,292.4 sf as shown on the attached plat, prepared by Stantec Consulting, and designated as DPW DWG No. O-28559, P5 of P9, such right of way being in addition to the acquisition authorized by Ordinance No. 2014-88-62, adopted on April 14, 2014, for the purpose of constructing multimodal transportation and drainage

improvements along Forest Hill Avenue between its intersection with Hathaway Road and its intersection with the Powhite Parkway.

REASON: Forest Hill Avenue between Hathaway Road and Powhite Parkway is a multimodal improvement project that is funded with RSTP (Regional Surface Transportation Program) funds. During negotiations with the property owner, the amount of right of way to be transferred to the City was increased from 16,471.4 sf to 17,763.8 sf (or by 1,292.4 sf)

RECOMMENDATION: Department of Public Works recommends approval of this ordinance.

BACKGROUND: Forest Hill Avenue is an urban minor arterial road serving regional traffic and the surrounding neighborhoods and the surrounding businesses. It connects two major limited access highways, the Powhite Parkway and Chippenham Parkway and includes a significant business corridor. This project will provide a safe, multi-modal corridor for all users and improves livability.

The project is funded through coordination with the Virginia Department of Transportation (VDOT) and the Metropolitan Planning Organization (MPO) using primarily Regional Surface Transportation Program (RSTP) funds. These improvements were designed by Stantec Consulting Engineers and construction plans so noted as DPW Dwg. No. 0-28520.

Forest Hill Avenue within the project limits will be improved to include 2 – 11' foot travel lanes in each direction, a 12' foot raised landscaped median including left turn lanes, designated 5' bike lanes (continuation of the US 1 bike route from Fairlee Road to Hathaway Road on both sides), curbs, 4' sidewalks (both sides), pedestrian crosswalks, and a closed storm sewer system that will improve drainage along Forest Hill Avenue as well as adjacent neighborhoods. The City Planning Commission granted final approval of the project on May 21, 2013. The total project cost is estimated at \$12,700,000.00. The project design is 100% complete. Right of way acquisition is 98% complete.

FISCAL IMPACT / COST: None, acquisition cost is 100% reimbursable. Anticipated increased cost for these rights is \$2,985.44, which may be donated.

FISCAL IMPLICATIONS: None.

BUDGET AMENDMENT NECESSARY: None.

REVENUE TO CITY: None.

DESIRED EFFECTIVE DATE: Upon adoption.

REQUESTED INTRODUCTION DATE: September 11, 2017.

CITY COUNCIL PUBLIC HEARING DATE: September 25, 2017.

REQUESTED AGENDA: Consent Agenda

RECOMMENDED COUNCIL COMMITTEE: Land Use, Housing, and Transportation Standing Committee meeting on September 19, 2017

CONSIDERATION BY OTHER GOVERNMENTAL ENTITIES: None

AFFECTED AGENCIES: Public Works, Law Department, Planning & Community Development, Economic Development, Public Utilities, Finance Department, Budget and Strategic Planning. Copies also sent to: City Mayor; Chief Administrative Officer and City Attorney.

RELATIONSHIP TO EXISTING ORD. OR RES.: Feasibility Study City/State agreement was authorized by City Council on January 14, 2002 (Ordinance No. 2001-391-2002-18), Authorize the CAO to execute all City/State Agreements (Ordinance No. 2013-165-151) on July 22, 2013, To Declare the Public Necessity Exists (Ordinance No. 2014-88-62) on April 14, 2014, To Declare the Public Necessity Exists for Acquisition of Temporary Construction Easements (Ordinance No. 2014-250-2015-3) on December 8, 2014.

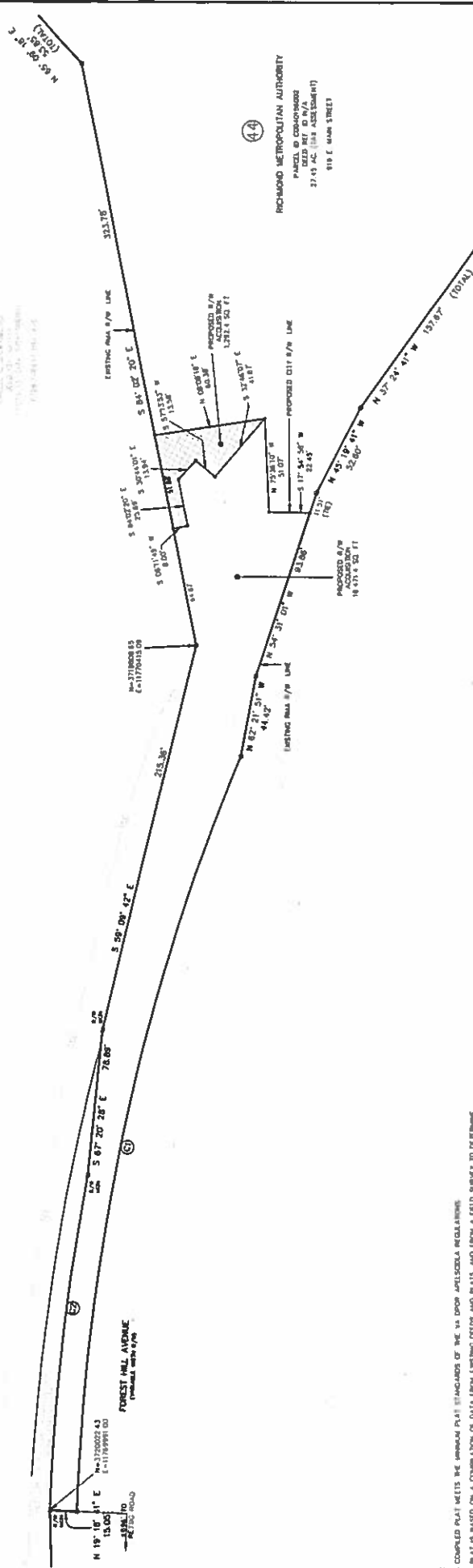
REQUIRED CHANGES TO WORK PROGRAMS: Small maintenance costs are expected in the future years after construction is completed.

ATTACHMENTS: Drawing O-28559, P5 of P9.

STAFF: Lamont L. Benjamin, PE, Capital Projects Administrator, DPW, 646-6339
Kevin T. Newcomb, P.E., Project Manager, DPW 646-1847



CURVE TABLE					
CURVE	RADIUS	LENGTH	TANGENT	DELTA	CHORD
□	1175.87	430.66'	272.48'	20°29'08"	418.30'
□	7190.62'	101.07'	01.11'	8°44'58"	101.88'



PARCEL NUMBER	PARCEL ID	LAND OWNER	AREA TABULATION				RIGHT OF WAY ACQUISITION	
			GRID REF. TO	TOTAL AREA	SQ. FT.	ACRES	SQ. FT.	ACRES
1	C20-0184003	MEMPHIS REDEVELOPMENT AUTHORITY	N/A	N/A	16,471.4			
2	C20-0184004	MEMPHIS REDEVELOPMENT AUTHORITY	N/A	N/A	1,793.2			

[illegible]

PROPOSED RIGHT-OF-WAY ACQUISITION ARE A

PROPOSED ADDITIONAL RIGHT-OF-WAY SET TO BE

DEDICATED TO THE CITY

PROPOSED TEMPORARY CONSTRUCTION EASEMENT

PROPOSED TEMPORARY EASEMENT FOR

REBAR FOUND

Council District

Stantec

FOREST HILL AVENUE COMPILED PLAT SHOWING PROPOSED
RIGHT-OF-WAY ACQUISITION, PERMANENT EASEMENTS, &
TEMPORARY CONSTRUCTION EASEMENTS

PARCEL ID NUMBER REVISED, 04/27/2017
REVISED, 07/28/2017

0-28520

DATE	SHEET
12/02/13	P5 OF P

85582