

INTRODUCED: July 23, 2018

AN ORDINANCE No. 2018-208

To close to vehicular travel North 17th Street between East Franklin Street and East Main Street, consisting of approximately 23,761± square feet, for the purpose of creating an urban plaza centered around the 17th Street Farmer’s Market, upon certain terms and conditions.

Patron – Mayor Stoney (By Request)

Approved as to form and legality
by the City Attorney

PUBLIC HEARING: SEPT 10 2018 AT 6 P.M.

THE CITY OF RICHMOND HEREBY ORDAINS:

§ 1. That the street known as North 17th Street, located between its intersection with East Main Street and its intersection with East Franklin Street, including a portion generally to the north of the 17th Street Farmer’s Market consisting of approximately 11,109 square feet and a portion generally to the south of the 17th Street Farmer’s Market consisting of approximately 12,652 square feet, as shown enclosed with bold lines on a drawing prepared by the Department of Public Works, designated as DPW Drawing No. N-28765, dated June 22, 2018, and entitled “Proposed Closing to Vehicular Traffic of Both Portions of N. 17th Street between E. Main Street and E. Franklin Street,” a copy of which is attached to this ordinance, is hereby closed to vehicular

AYES: 8 NOES: 0 ABSTAIN: _____

ADOPTED: SEPT 10 2018 REJECTED: _____ STRICKEN: _____

traffic as a street of the City of Richmond for the purpose of creating an urban plaza centered around the 17th Street Farmer's Market.

§ 2. That this ordinance, as to the closing of the street identified above, shall be in force as provided in section 4.09 of the Charter of the City of Richmond (2018), as amended, and shall become effective only when:

(a) The City obtains consent to the closing from each of the owners of land, building or structures from whom consent is required under section 24-314 of the Code of the City of Richmond (2015), 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.

(b) The Director of Public Works, after consultation with the Director of Economic Development, has issued and published rules and regulations that provide for, among other things:

- (1) The use of the closed street for pedestrian and bicycle travel.
- (2) Temporary vehicular travel in the closed street by vehicles such as the following:
 - a. Emergency and other public safety vehicles.
 - b. Vehicles used in a special event held pursuant to an applicable permit authorized by the Code of the City of Richmond (2015), as amended, if the permit specifically allows the use of such vehicles.
 - c. Vehicles making deliveries to the 17th Street Farmer's Market.
 - d. Vehicles making deliveries to properties abutting the closed street.
 - e. Vehicles needed to perform maintenance or make repairs to the closed street or to the facilities of public or private utilities located in the closed street.

(3) The allowance by the Director of Public Works, after consultation with the Chief of Police, of temporary vehicular travel by the public in the closed street if the Director determines that an emergency or other extraordinary circumstance necessitates the temporary vehicular travel by the public of the closed street to ease extraordinary traffic congestion caused by the emergency or other extraordinary circumstance.

§ 3. That the street closed to vehicular travel by this ordinance shall not be deemed abandoned by the City, and the City shall retain all of its legal interests in such closed street.

§ 4. This ordinance shall be in force and effect only upon satisfaction of the terms and conditions set out above.



CITY OF RICHMOND

INTRACITY CORRESPONDENCE

O&R REQUEST

DATE: June 29, 2018 **EDITION:** 1

TO: The Honorable Members of City Council

THROUGH: The Honorable Levar M. Stoney, Mayor (By Request) *JS 7/16/18*

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

THROUGH: Robert Steidel, Deputy Chief Administrative Officer *RS*

THROUGH: Bobby Vincent, Director *for* Department of Public Works *M. Vincent*

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

FROM: Brian Copple, Right of Way Manager Department of Public Works *BC*

RE: **PROPOSED CLOSING TO VEHICULAR TRAVEL OF BOTH PORTIONS OF N. 17TH STREET BETWEEN E. MAIN STREET AND E. FRANKLIN STREET**

ORD. OR RES No. _____

PURPOSE: To close to vehicular travel a portion 23,761 SF of public right-of-way as shown on a plat prepared by the Department of Public Works designated as DPW Dwg. No. N-28765 dated June 22, 2018 entitled "PROPOSED CLOSING TO VEHICULAR TRAVEL OF BOTH PORTIONS OF N. 17TH STREET BETWEEN E. MAIN STREET AND E. FRANKLIN STREET" at the request of the applicant.

REASON: Letter of request from Economic and Community Development (ECD), Acting Director Douglas Dunlap. This right-of-way closure to vehicular travel is necessary to accommodate the renovations to the 17th Street Market and closure to such travel will improve pedestrian safety in the area and significantly enhance the creation of a public urban plaza.

RECOMMENDATIONS: The Department of Public Works supports this proposed right-of-way closing to vehicular travel only, and requests that upon receipt of all written consents to the closure from all abutting property owners and adoption by City Council, the closing to vehicular travel will

take effect. In addition, this right-of-way closing to vehicular travel be subject to, and including without limitation, the following terms and conditions:

1. The closure shall not constitute full closure of the right-of-way to public use and travel and the right-of-way shall not be deemed abandoned by the City. Rather, the closure shall only apply to through vehicular travel and the City shall retain all of its legal interest in the right-of-way.
2. The closure shall not apply to emergency/public safety vehicles (e.g., police, fire, ambulance).
3. The closure shall not apply to special events in the right-of-way as permitted in accordance with City Code if the applicable permit authorizes vehicles to enter the right-of-way for such event.
4. The closure shall not apply to bicycle travel.
5. The closure shall not apply to such other vehicle access authorized by the Director of Public Works (the "Director") in accordance with the following.
 - i) The ordinance shall require the Director to, following consultation with the Director of Economic Development, adopt and publically post on the City's website a policy/procedure (which may be amended from time to time provided such amendments are likewise publically posted on the City's website) regarding the parameters related to such vehicle access and the Director's authorization thereof.
 - ii) The policy/procedure shall permit vehicular access to the right-of-way for deliveries related to the use of the Farmer's Market, the right-of-way, and the abutting parcels of real property, at specified days/times and pursuant to any parameters deemed necessary by the Director.
 - iii) The policy/procedure may otherwise permit temporary vehicular access to the right-of-way at such times and for such limited purposes deemed necessary by the Director and enumerated in the policy/procedure. Purposes for which the Director may permit vehicular access include:
 - * Maintenance/repair related to the Farmer's Market, the right-of-way (including the public and private utilities therein), and the abutting parcels of real property.
 - * Temporary easing of traffic in the surrounding area if necessitated by an emergency or other extraordinary circumstance requiring the temporary vehicular use of the right-of-way to ease such traffic.

BACKGROUND:

As part of the Shockoe Revitalization Strategy, (2011, Office of Economic and Community Development) this strategy prioritized projects to be completed in conjunction with the Main Street Station Train Shed Rehabilitation Project and Multimodal Transportation Center. One such priority of the Shockoe Revitalization Strategy was the transformation of the 17th Street Market to a pedestrian public plaza and the extension of outdoor dining from the adjoining businesses as permitted. In addition to the 17th Street Market transformation, a connector trail to link the Virginia Capital Bike Trail from Dock Street and 17th Street to the Main Street Station Multimodal Transportation Center, State of Virginia Welcome Center and State Capitol, was a priority project of the transportation master plan for Main Street Station. This right-of-way closure to vehicular travel is necessary to accommodate this revitalization project.

Closing to vehicular travel will remove .07 moving lane miles (MLM) from State Payment of Maintenance funds presently paid in FY18 at a rate of \$ 12,365/ MLM.

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

FISCAL IMPACT/COST: Loss of State Maintenance funds in the amount of \$ 865.

FISCAL IMPLICATIONS: None anticipated.

BUDGET AMENDMENT NECESSARY: No amendment necessary at this time.

REVENUE TO CITY: None anticipated.

DESIRED EFFECTIVE DATE: Upon Adoption.

REQUESTED INTRODUCTION DATE: July 23, 2018

CITY COUNCIL PUBLIC HEARING DATE: September 24, 2018

REQUESTED AGENDA: Consent Agenda

RECOMMENDED COUNCIL COMMITTEE: None

CONSIDERATION BY OTHER GOVERNMENTAL ENTITIES: Land Use; 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.: None

REQUIRED CHANGES TO WORK PROGRAM(S): None.

ATTACHMENTS: (ECD) Applicant's request letter
DPW Dwg. No. N-28765

STAFF:

Prepared for Bobby Vincent, Jr., Director DPW

Prepared by Brian Copple – RW Manager – DPW

Research and Drawing Coordinated by James Flannery – DPW

Department of Public Works

646-0435



CITY OF RICHMOND

**ECONOMIC & COMMUNITY
DEVELOPMENT**

Mr. Emmanuel Adediran, Director, Department of Public Works
Mr. Brian Copple, Chief of Construction and Right of Way Management, Department of Public Works
900 East Broad St., 6th Floor
Richmond, Virginia, 23219

RE: 17th Street Market Plaza Renovations
Request to close both 17th Streets from Main Street to Franklin Street

Mr. Adediran:


On behalf of the Office of Economic Development, I request your Department commence the street closure process for the future closure of both 17th Streets that border the 17th St. Market Square. The requested closure is shown on the attached sketch; the request to close both streets extends from Main St. to Franklin St. The request is to close the right of way to public vehicular traffic at all times with limited access to vehicular delivery traffic and maintenance vehicles. The existing right of way will be closed, but not sold to adjacent property owners. It will remain right of way "on paper" in case this decision or plan is reversed one day. The "closed" right of way will serve two purposes:

- 1) **Outdoor Dining/Retail Merchandising:** An encroachment area along the building storefronts to allow for outdoor dining and outdoor market/merchandising. These encroachments applications will come for your review in the beginning of the 2017 from each property owner.
- 2) **Delivery access for the 17th Street Market Plaza:** The remainder of the right of way will be available as necessary and as needed for utility vehicles, delivery vehicles and emergency vehicles. Access for these vehicles will be provided from Franklin St. via moveable bollards. The entrances on Main St. will be closed with bollards and will not be manipulated for delivery vehicles on a daily basis at the request of the City Traffic Engineer, Mike Sawyer.

The roads will be closed and restricted at a time agreeable with a majority vote (51%) of the property owners along the square to allow for dining and market merchandising along the storefronts consistent with the plans for the 17th St. Market Plaza Renovations, approved by the City Planning Commission and by Mayor Jones and the City Council via the adopted budget. Attached are conceptual renderings of the approved project.

If you have any questions, please contact Jeannie Welliver at jeannie.welliver@richmondgov.com; she is ECD's Project Manager for the development of this project.

Sincerely,

A handwritten signature in black ink, appearing to read 'D. Dunlap', written over a horizontal line.

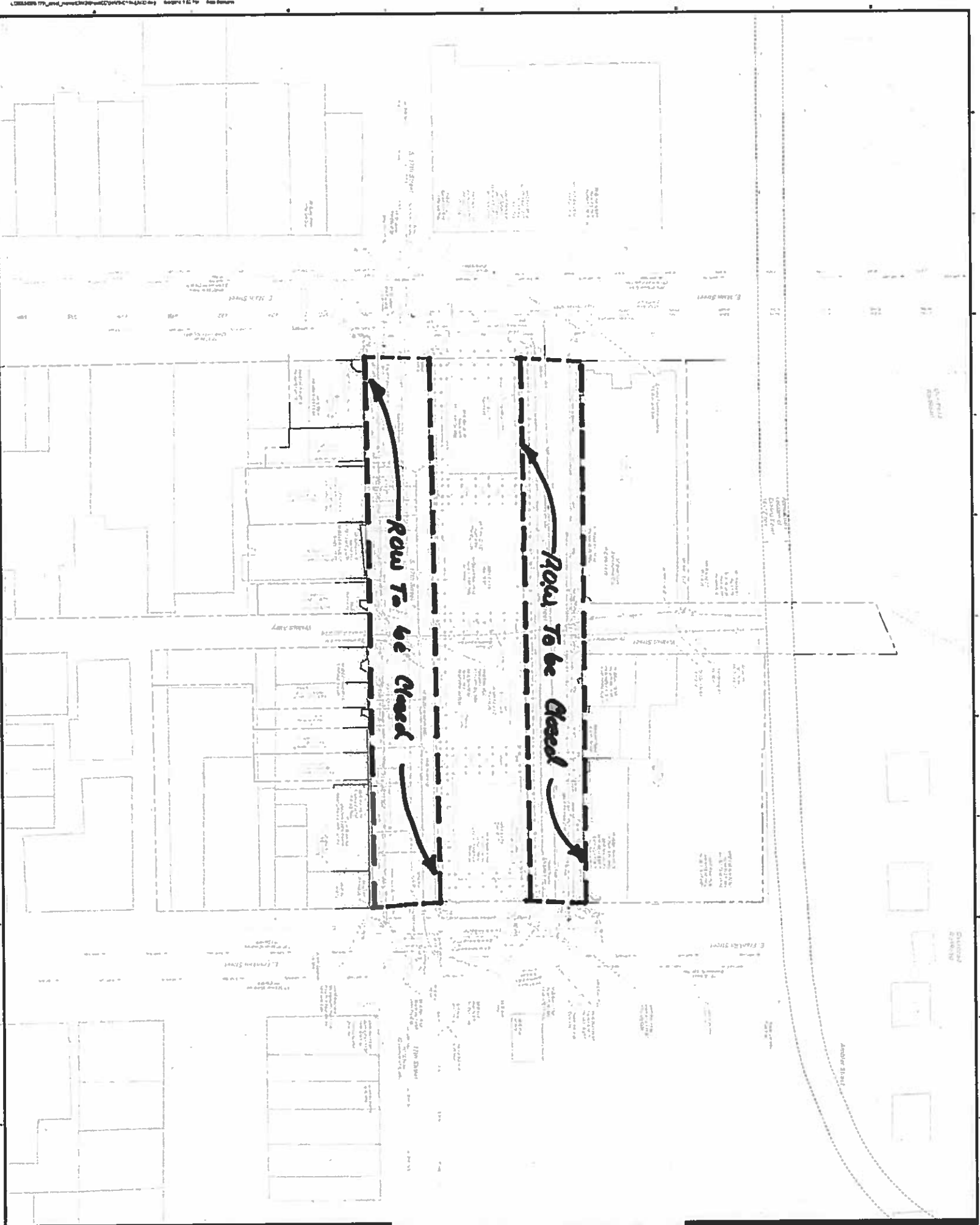
Douglas Dunlap, A/Director

Cc:

Lee Downey, DCAO
John Buturla, DCAO
Marvin Anderson, DPW
Jane Armory, DPW
Paul McClellan, ECD
George Bolos, ECD
Jeannie Welliver, ECD

Attachments:

Plan for closure
Conceptual renderings

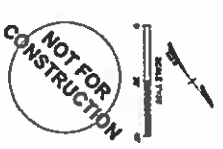


Baskerville

PROJECT
34670
FIRST MARKET SQUARE

PROJECT
34670
FIRST MARKET SQUARE

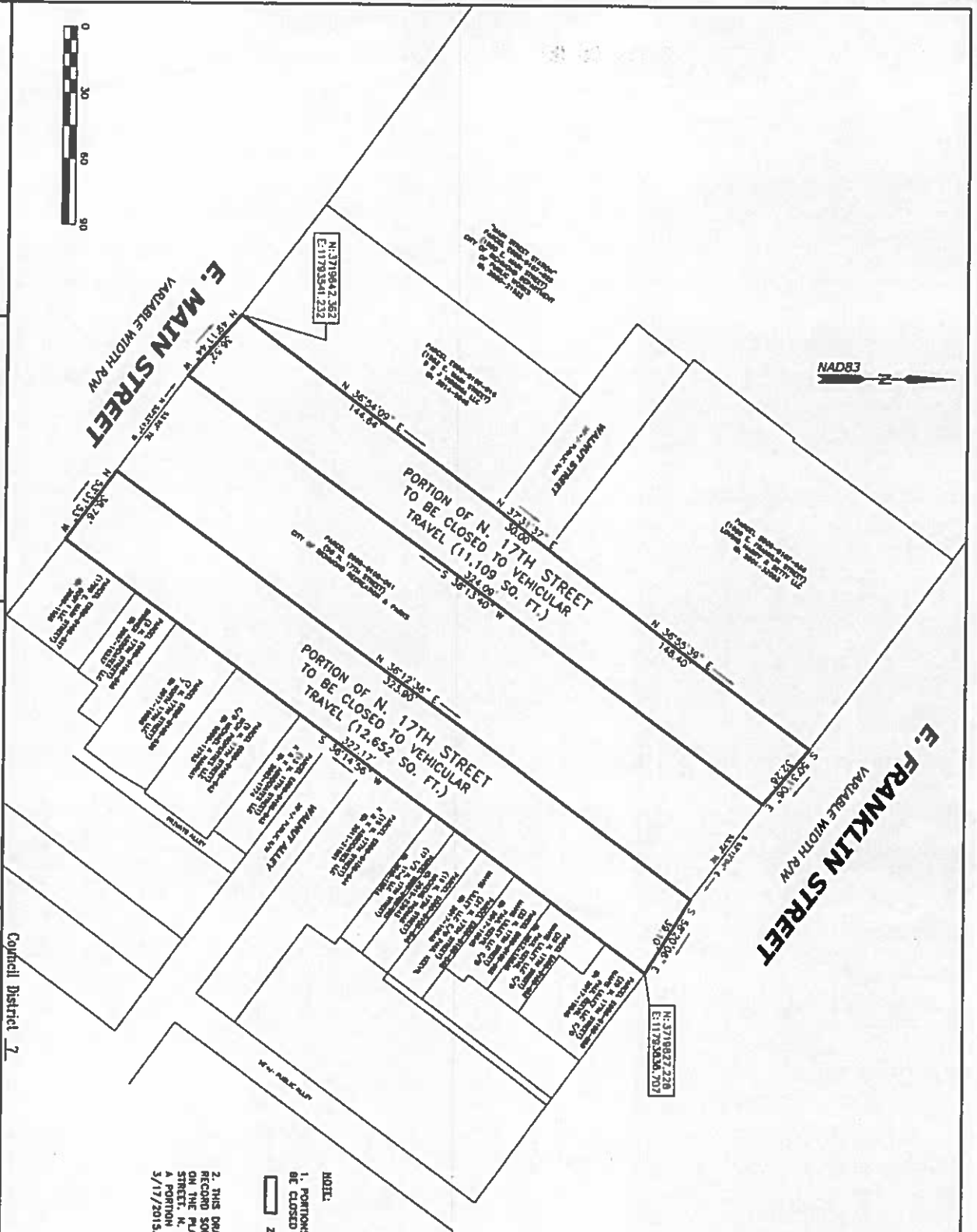
17th STREET



201 LAR-03
SCHEMATIC

EXISTING CONDITIONS

C-100



NOTE:
 1. PORTIONS OF N. 17TH STREET R/W THAT ARE PROPOSED TO BE CLOSED TO VEHICULAR TRAVEL ARE SHOWN IN BOLD LINES.
 23,761 SQ. FT.

2. THIS DRAWING IS BASED ON A COMPILATION OF DATA FROM RECORD SOURCES AND SURVEY BY THOMAS GROUP AS SHOWN ON THE PLAN TITLED "PLAY SHOWING THE CLOSURE OF WALNUT STREET, N. 17TH STREET, A PORTION OF S. 17TH STREET, AND A PORTION OF WALNUT ALLEY CITY OF RICHMOND" DATED 3/17/2015.

Council District 2

Block No. E-107 E-108

NOTES

1. Property owners correct as of 6/22/2018

Planning Technician

Surveyor Registered

Right of Way Manager

DATE

M. W. O. L.

[Signature]

900 E. Broad Street, Richmond, Va. 23219

DEPARTMENT OF PUBLIC WORKS

RICHMOND, VIRGINIA



PROPOSED CLOSING TO VEHICULAR TRAVEL OF BOTH PORTIONS OF N. 17TH STREET BETWEEN E. MAIN STREET AND E. FRANKLIN STREET

REGISTERED BY: BOBBI J. DUNN OR HER SUCCESSORS OR HEIRS

FIELD NOTE

SCALE

DATE

PROJECT

DRAWING NO.

DRAWN BY: J.F.
CHECKED BY: M.W.A.

1"=30'

6/22/2018

E-107-108-SC

N-28765

REFERENCES: O-21056, BL-9HW, GST



**Proposed Closing to Vehicular Traffic of 17th Street
from E Franklin St to E Main Street**

 **Closing Area**