



CITY OF RICHMOND

Department of Planning & Development Review *Staff Report*

Ord. No. 2021-311 - To authorize the Chief Administrative Officer, for and on behalf of the City of Richmond, to execute a Deed between the City of Richmond and the Commonwealth of Virginia, Department of General Services, for the purpose of conveying by quitclaim deed the City-owned right-of-way known as Bank Street from North 9th Street to North 14th Street, North 10th Street from East Main Street to Bank Street, North 12th Street from East Main to Bank Street, and Governor Street from East Main Street to Bank Street, consisting of 127,363.7± square feet, for nominal consideration to the Commonwealth of Virginia, Department of General Services. (6th District)

To: City Planning Commission
From: Land Use Administration
Date: November 15, 2021

PETITIONER

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

LOCATION

Portions of existing rights-of-way of Bank Street between N 9th Street and N 14th Street, and N 10th Street and North 12th Street between Bank Street and East Main Street.

PURPOSE

To authorize the Acting Chief Administrative Officer to convey to the Commonwealth of Virginia, via quitclaim deed substantially in the form attached and subject to the limitations stated therein, any interest the City may have in the property more particularly described as that certain tract or parcel of land, together with the improvements thereon and all rights, privileges, appurtenances, easements, and rights of way thereunto belonging or in anywise appertaining, consisting of 2.924 acres and situate in the City of Richmond, Virginia, shown and depicted as "BANK STREET 65' +/- Right-of-Way" on that survey/plat entitled "RIGHT-OF-WAY EXHIBIT", prepared by Austin Brockenbrough, dated October 12, 2021, DPW Drawing No. O-28976.

SUMMARY & RECOMMENDATION

Pursuant to § 4-5.11 of Chapter 552 of the 2021 Virginia Acts of Assembly, Special Session I ("§ 4-5.11"), and in order to implement and maintain traffic and pedestrian operational safety and security enhancements and secure the seat of government, the Virginia General Assembly directed the Commonwealth Transportation Board to add to the state primary highway system, those portions of the rights-of-way located in the City of Richmond identified as Bank Street from N. 9th Street to N. 14th Street; N. 10th Street from E. Main Street to Bank Street; N. 12th Street from E. Main Street to Bank Street; and Governor Street from E. Main Street to Bank Street.

Further, the Virginia General Assembly directed the City of Richmond to transfer fee ownership of the above-referenced rights-of-way to the Commonwealth of Virginia.

Numerous streets and alleys have been vacated throughout the Capitol Square area over the years. Recently, the closure of 12th Street/Governor Street between Bank Street and E. Broad Street was approved by Ordinance No. 2016-105 adopted on April 25, 2016.

Furthering the Commonwealth's ability to implement and maintain traffic and pedestrian operational safety and security enhancements and secure the seat of government, the Virginia General Assembly in their 2021 Special Session has required that the Commonwealth Transportation Board shall add to the state primary highway system, pursuant to § 33.2-314, Code of Virginia, those portions of the rights-of-way located in the City of Richmond identified as Bank Street from N. 9th Street to N. 14th Street, N. 10th Street from E. Main Street to Bank Street, N. 12th Street from E. Main Street to Bank Street, and Governor Street from E. Main Street to Bank Street.

Additionally, the General Assembly has directed, pursuant to the responsibilities of the Department of General Services (DGS) (§ 2.2-1129) and the Division of Capitol Police (DCP) (§ 30-34.2:1), that DGS and DCP shall control those rights-of-way and pedestrian and vehicular traffic thereon. The City of Richmond shall transfer fee ownership of the rights-of-way identified to DGS by deed or other instrument, as determined by DGS.

The City shall retain an utility easement across the conveyed right-of-way for the purpose of inspecting, operating, maintaining, repairing, replacing, improving, and removing those utilities facilities owned by the City, or third-party telecommunication facilities and conduits, that are now located within the conveyed right-of-way area. Additionally, the City is also retaining an easement for ingress and egress across the conveyed right-of-way for the purpose of rendering emergency services.

However, under the current directive, the City would not retain an easement to ensure that pedestrian and bicycle access would be retained across the conveyed right-of-way to maintain adequate circulation of pedestrians and cyclists in the area. Bank Street is currently improved with bike lanes in both directions. It serves as the main connection for cyclists between the Capital Trail and the Franklin Street bikeway via the 17th Street bikeway, the Farmer's Market pedestrian plaza, and the East Franklin Street bike lanes. Therefore, Planning & Development Review staff finds that pedestrian and bicycle access should not be impeded along Bank Street.

This ordinance to convey City right-of-way comes by directive of the General Assembly in the form of state law. Virginia's localities are entirely subject to state law. Therefore, Planning & Development Review staff offers no recommendation.

FINDINGS OF FACT

SITE DESCRIPTION

A 2.924 acre portion of public rights-of-way along Bank Street, between North 9th Street and North 14th Street, along North 10th Street, between Bank Street and East Main Street, and along North 12th Street, between Bank Street and East Main Street.

PROPOSED USE FOR THE PROPERTY

State highway

MASTER PLAN

The City's Richmond 300 Master Plan designates a future land use for the area around the property as both Downtown Mixed-Use and Institutional. Downtown Mixed-Use is defined as the "central business district of the Richmond region [that] features high-density development with office buildings, residential buildings, and a mix of complementary uses, including regional destinations in a highly-walkable urban environment." The development style is higher-density pedestrian- and transit-oriented development encouraged on vacant or underutilized sites. Pedestrian, bicycle and transit access are prioritized and accommodated. Primary uses are retail/office/personal service, multi-family residential, cultural, institutional, government, and open space. Secondary uses are not applicable.

Institutional is defined as "public and quasi-public entities, such as local, state, and federal government, hospitals, universities, schools, and religious institutions." The development style is typically several buildings owned by an institution that are often connected by engaging character that creates a campus-like environment. Primary uses are institutional, cultural, government, and open space. Secondary uses are retail/office/personal service and multi-family residential.

The "Greenways & On-Street Bike Facilities Map" shows this portion of Bank Street as an "On-Street Bike Facility."

ZONING

B-4 Central Business District surrounds the right-of-way

SURROUNDING AREA

The area includes Capital Square to the north and state government buildings and a hotel to the south. To the south along East Main Street is an active commercial corridor with ground floor retail spaces, office uses, and multi-family residential uses.

Staff Contact:

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