



Legislation Details (With Text)

File #: [23-0461] **Version:** 1 **Name:**

Type: Discussion Item **Status:** Passed

File created: 4/19/2023 **In control:** Town Council

On agenda: 5/24/2023 **Final action:** 5/24/2023

Title: Open and Close a Public Hearing to Consider Closing a Portion of Public Right-of-Way of Hamilton Road within the Glen Lennox Development.

Sponsors:

Indexes:

Code sections:

Attachments: 1. Closure Request Letter from Ballentine Associates with Exhibit of Requested Hamilton Road Right-of-Way Closure, 2. Draft Staff Presentation, 3. NC Statute GS_160A-299, 4. Staff Presentation, 5. A RESOLUTION TO APPROVE A REQUEST TO CLOSE A PORTION OF PUBLIC RIGHT-OF-WAY OF HAMILTON ROAD WITHIN THE GLEN LENNOX DEVELOPMENT (2023-05-24/R-17)

Date	Ver.	Action By	Action	Result
5/24/2023	1	Town Council	closed the public hearing	Pass
5/24/2023	1	Town Council	adopted	Pass

Open and Close a Public Hearing to Consider Closing a Portion of Public Right-of-Way of Hamilton Road within the Glen Lennox Development.

Staff:

Lance Norris, Director
Chris Roberts, Manager of Engineering and Infrastructure

Department:

Public Works

Overview: The Glen Lennox Development includes a proposed realignment of Hamilton Road that involves closing a portion of the existing public right-of-way and dedicating new right-of-way. This realignment is in accordance with Section 5.4 (a)(2) of the Glen Lennox Development Agreement.

More information about the Glen Lennox Development Agreement may be found at:

<https://www.townofchapelhill.org/government/departments-services/planning/development-activity-report/glen-lennox>

This process followed the two requirements of North Carolina General Statute Sec. 160A-299:

- Council adopted a resolution declaring its intent to close the public right-of-way and to call a public hearing.
- All publication and posting requirements of this statute have been met.

 **Recommendation(s):**

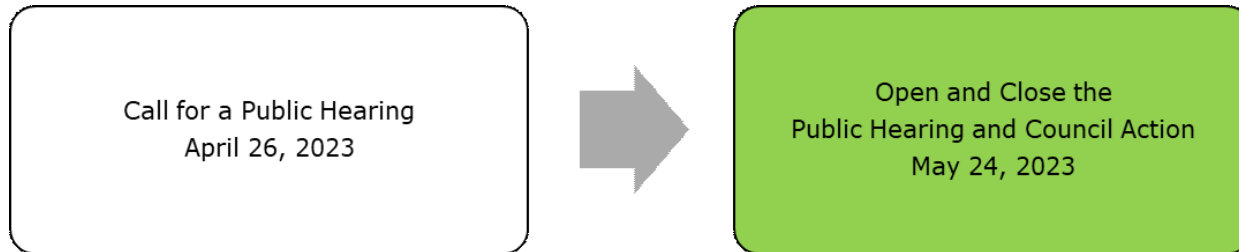
That the Council adopt a resolution closing a portion of the public right-of-way to support the realignment of Hamilton Road within the Glen Lennox Development.

Fiscal Impact/Resources: The applicant paid for the commercial right-of-way fee to the Town.

Key Issues:

- The sole adjacent property owner is Glen Lennox Apartments, LLC, who is requesting the closure and will receive the entire requested right-of-way areas.

Where is this item in its process?



Attachments:

- Resolution
- Closure Request Letter from Ballentine Associates with Exhibit of Requested Hamilton Road Right-of-Way Closure
- Staff Presentation
- NC Statute 160A-299

A RESOLUTION TO APPROVE A REQUEST TO CLOSE A PORTION OF PUBLIC RIGHT-OF-WAY OF HAMILTON ROAD WITHIN THE GLEN LENNOX DEVELOPMENT (2023-05-24/R-17)

WHEREAS, the Town of Chapel Hill has received a request, from Ballentine Associates to close a portion of public right-of-way for a realignment of Hamilton Road within the Glen Lennox Development; and

WHEREAS, the sole abutting property of this public right-of-way is owned by the requesting party, Glen Lennox Apartments, LLC; and

WHEREAS, the realignment of Hamilton Road is in accordance with Section 5.4 (a)(2) of the Glen Lennox Development Agreement; and

WHEREAS, the Council finds, upon review of the facts and of information received at the Public Hearing on May 24th, 2023 that closing this portion of public right-of-way to support a realignment of Hamilton Road would not be contrary to the public interest and that no individual owning property in the vicinity of the proposed closures would be deprived of reasonable means of ingress and egress to his or her property by the closing of said right-of-way.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council hereby approves the closure of this portion of public right-of-way for a realignment of Hamilton Road within the Glen Lennox Development as described in the Closure Request Letter.

This the 24th day of May, 2023.

The Agenda will reflect the text below and/or the motion text will be used during the meeting.

PRESENTER: Chris Roberts, Engineering and Infrastructure Manager

- a. Introduction and recommendation
- b. Comments from the public
- c. Comments and questions from the Mayor and Town Council
- d. Motion to close the public hearing
- e. Motion to adopt the resolution approving the right-of-way closure.

RECOMMENDATION: That the Council close a portion of public right-of-way for a realignment of Hamilton Road within the Glen Lennox Development.