



TOWN OF CHAPEL HILL

Town Hall
405 Martin Luther King Jr.
Boulevard
Chapel Hill, NC 27514

Legislation Details (With Text)

File #: [18-0035] **Version:** 2 **Name:**

Type: Consent **Status:** Passed

File created: 12/21/2017 **In control:** Town Council

On agenda: 1/24/2018 **Final action:** 1/24/2018

Title: * Call a Public Hearing for February 28, 2018 to Consider Closing Unmaintained Public Rights-Of-Way Near Smith Avenue.

Sponsors:

Indexes:

Code sections:

Attachments: 1. Map of ROW Closure Smith Street, 2. Email Request from Judge Baddour, 416 Smith Avenue, 3. North Carolina General Statute 160A-299, 4. Council Questions with Staff Response and map, 5. A RESOLUTION CALLING A PUBLIC HEARING ON THE PROPOSED CLOSURE OF THE UNMAINTAINED PUBLIC RIGHTS-OF-WAY LOCATED BETWEEN 416 AND 420 SMITH AVENUE AND BETWEEN 420 SMITH AVENUE AND 550 CHASE PARK ROAD (2018-01-24/R-4)

Date	Ver.	Action By	Action	Result
1/24/2018	1	Town Council	adopted	Pass

*** Call a Public Hearing for February 28, 2018 to Consider Closing Unmaintained Public Rights-Of-Way Near Smith Avenue.**

Staff:

Lance Norris, Director
Chris Roberts, Manager of Engineering and Infrastructure
Chris Jensen, Senior Engineer

Department:

Public Works

Overview: The owner of 416 and 420 Smith Avenue has requested closing the public rights-of-way for two short sections of unpaved and unmaintained public rights-of-way located between 416 and 420 Smith Avenue and between 420 Smith Avenue and 550 Chase Park Road. These public rights-of-way are not in use, and the Town and OWASA have no need for the rights-of-way.

North Carolina General Statute Sec. 160A-299 "Procedures for Permanently Closing Streets and Alleys" sets the process for closing public rights-of-way (see copy attached). The steps outlined in this report and the attached resolution follow the statutory requirements.

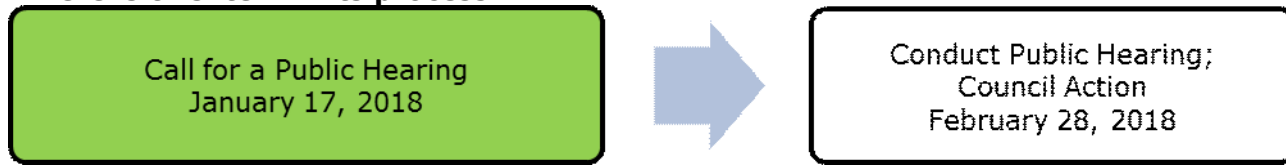
☆ **Recommendation(s):**

That the Council adopt the resolution to call a Public Hearing for February 28, 2018 to consider closing the unmaintained public rights-of-way located between 416 and 420 Smith Avenue and between 420 Smith Avenue and 550 Chase Park Road.







Key Issues:

- Once the rights-of-way are closed, the property will be divided equally among all adjacent property owners. Each property owner will be required to file a new plat to assume ownership. Town staff has communicated this information to each affected property owner, and all are in support of the right-of-way closure.

Where is this item in its process?



Council Goals:

<input type="checkbox"/>		Create a Place for Everyone	<input checked="" type="checkbox"/>		Develop Good Places, New Spaces
<input type="checkbox"/>		Support Community Prosperity	<input type="checkbox"/>		Nurture Our Community
<input checked="" type="checkbox"/>		Facilitate Getting Around	<input type="checkbox"/>		Grow Town and Gown Collaboration



Attachments:

- Resolution
- Map of Requested Right-of-Way Closure
- Email Request from Property Owner, 416 Smith Avenue
- North Carolina General Statute 160A-299

A RESOLUTION CALLING A PUBLIC HEARING ON THE PROPOSED CLOSURE OF THE UNMAINTAINED PUBLIC RIGHTS-OF-WAY LOCATED BETWEEN 416 AND 420 SMITH AVENUE AND BETWEEN 420 SMITH AVENUE AND 550 CHASE PARK ROAD (2018-01-24/R-4)

WHEREAS, the Town of Chapel Hill has received a request for the closure of the unmaintained public rights-of-way located between 416 and 420 Smith Avenue and between 420 Smith Avenue and 550 Chase Park Road; and

WHEREAS, all abutting properties have existing access to and from public streets and closure of the right-of-way section in question would not deprive any property owner of reasonable means of ingress and egress.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council hereby declares its intent to consider closing the public rights-of-way located between 416 and 420 Smith Avenue and between 420 Smith Avenue and 550 Chase Park Road.

BE IT FURTHER RESOLVED that the Council calls a Public Hearing at 7:00 pm on Wednesday, February 28, 2018 in the Council Chamber at Town Hall, 405 Martin Luther King Jr. Boulevard, Chapel Hill, North Carolina to receive public comment on the proposed closure of said right-of-way and hereby authorizes the Town Manager to arrange publication, posting and mailing of notices of the Public Hearing as required by law.

This the 24th day of January, 2018.

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

By adopting the resolution, the Council calls a Public Hearing for February 28, 2018 to consider closing the unmaintained public rights-of-way connecting Chase Park Road to Smith Avenue to Coolidge Road.