



TOWN OF CHAPEL HILL

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

Legislation Details (With Text)

File #: [21-0382] **Version:** 1 **Name:**

Type: Consent **Status:** Passed

File created: 4/21/2021 **In control:** Town Council

On agenda: 5/5/2021 **Final action:** 5/5/2021

Title: Call a Public Hearing to Consider Closing an Unimproved and Unpaved Portion of Mitchell Lane Public Right-of-Way on June 9, 2021.

Sponsors:

Indexes:

Code sections:

Attachments: 1. Closure Request Email from Adam Zinn, 2. Exhibit of Requested Closure, 3. GS_160A-299, 4. A RESOLUTION CALLING A PUBLIC HEARING TO CONSIDER CLOSING AN UNIMPROVED AND UNPAVED PORTION OF MITCHELL LANE PUBLIC RIGHT-OF-WAY ON JUNE 9, 2021 (2021-05-05/R-7)

Date	Ver.	Action By	Action	Result
5/5/2021	1	Town Council	adopted	Pass

Call a Public Hearing to Consider Closing an Unimproved and Unpaved Portion of Mitchell Lane Public Right-of-Way on June 9, 2021.

Staff:

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

Department:

Public Works

Overview: The owner of 502 Gomains Avenue has requested that an unimproved and unpaved portion of Mitchell Lane public right-of-way (ROW) be closed. This ROW is approximately 10 feet wide and 90 feet long. It is located at the north side of Mitchell Lane’s intersection with Gomains Avenue. The house located at 502 Gomains Avenue sits partially within the ROW.

The public ROW continues 60 feet north of the portion of ROW requested to be closed, so it would be isolated by the requested closure; therefore, Town staff recommend closing this additional 60 feet of public ROW as part of this request.

North Carolina General Statute Sec. 160A-299 sets the process for closing public rights-of-way, requiring the Council to adopt a resolution declaring its intent to close the public right-of-way and to call a public hearing. The resolution will be published once a week for four successive weeks before the hearing. A notice of the closing and public hearing will be posted in a least two places along the right-of-way.

 **Recommendation(s):**

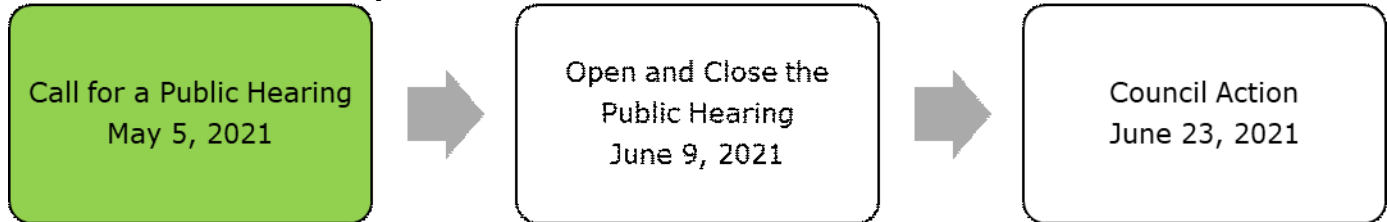
That the Council adopt the resolution to call a Public Hearing to consider closing an unimproved and unpaved portion of the Mitchell Lane public right-of-way on June 9, 2021.

Fiscal Impact/Resources: Impacts to future investments are unknown.

Key Issues:

- The Town owns the property adjacent to the east of 502 Gomains Avenue and the subject ROW. As there is no use for this ROW, staff recommends to give the entire ROW to the owner of 502 Gomains Avenue.
- The adjacent property owner to the north of 502 Gomains Avenue is 502 Edwards Drive and is owned by Special Needs Trust for Elizabeth Young.
- The Town-owned property northeast of 502 Gomains Avenue and adjacent to the subject ROW will be re-combined with the Town-owned property adjacent to 502 Gomains Avenue.

Where is this item in its process?



Attachments:

- Resolution
- Closure Request Email from Adam Zinn
- Exhibit of Requested Closure
- NC Statute 160A-299

A RESOLUTION CALLING A PUBLIC HEARING TO CONSIDER CLOSING AN UNIMPROVED AND UNPAVED PORTION OF MITCHELL LANE PUBLIC RIGHT-OF-WAY ON JUNE 9, 2021 (2021-05-05/R-7)

WHEREAS, the Town of Chapel Hill has received a request, from Adam Zinn to close an unimproved and unpaved portion of Mitchell Lane public right-of-way adjacent to 502 Gomains Avenue; and

WHEREAS, Town staff also requests to close the remaining portion of unimproved and unpaved Mitchell Lane public right-of-way that is to the north of 502 Gomains Avenue; and

WHEREAS, the house located at 502 Gomains Avenue currently sits atop of the subject right-of-way; and

WHEREAS, there is no Town use for the subject ROW.

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 subject portion of the Mitchell Lane public right-of-way.

BE IT FURTHER RESOLVED that the Council calls a Public Hearing at 7:00 pm on Wednesday, June 9, 2021 in a virtual meeting 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. The Public Hearing will be closed and on June 23, 2021, the Council may take final action.

This the 5th day of May, 2021.

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 June 9, 2021 to consider closing a portion of the public right-of-way of Mitchell Lane.