



# TOWN OF CHAPEL HILL

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

## Legislation Details (With Text)

**File #:** [18-0034]      **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 the Public Right-Of-Way for the Unmaintained Alley Near the Intersection of Pritchard Avenue and West Rosemary Street.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Map of Requested Rights-of-Way Closure, 2. Email Request from Brian Ferrell, Representative of Property Owner Joseph Polcaro, 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 PUBLIC RIGHT-OF-WAY FOR THE UNMAINTAINED ALLEY NEAR THE INTERSECTION OF PRITCHARD AVENUE AND WEST ROSEMARY STREET (2018-01-24/R-3)

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 the Public Right-Of-Way for the Unmaintained Alley Near the Intersection of Pritchard Avenue and West Rosemary Street.**

**Staff:**

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

**Department:**

Public Works

**Overview:** The property owner of 108 West Rosemary Street and 208 Pritchard Avenue has requested closing the public right-of-way for an unpaved and unmaintained alley near the northeast corner of Pritchard Avenue and West Rosemary Street. The alley is about 10 feet wide and extends between several privately-owned properties parallel to West Rosemary Street. The alley is not in use, and the Town and OWASA have no need for the right-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 public right-of-way for the unmaintained alley near the intersection of Pritchard Avenue and West Rosemary Street.

**Key Issues:**







- Once the alley right-of-way is 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 Rights-of-Way Closure
- Email Request from Brian Ferrell, Representative of Property Owner Joseph Polcaro
- North Carolina General Statute 160A-299

**A RESOLUTION CALLING A PUBLIC HEARING ON THE PROPOSED CLOSURE OF THE PUBLIC RIGHT-OF-WAY FOR THE UNMAINTAINED ALLEY NEAR THE INTERSECTION OF PRITCHARD AVENUE AND WEST ROSEMARY STREET (2018-01-24/R-3)**

WHEREAS, the Town of Chapel Hill has received a request for the closure of the public right-of-way for the unmaintained alley near the intersection of Pritchard Avenue and West Rosemary Street; 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 approximately 175 linear feet of said the public right-of-way for the unmaintained alley.

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 closing 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 24<sup>th</sup> day of January, 2018.

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**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 public right-of-way for the unmaintained alley near the intersection of Pritchard Avenue and West Rosemary Street.