



# TOWN OF CHAPEL HILL

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

## Legislation Details (With Text)

**File #:** [20-0017]      **Version:** 1      **Name:**  
**Type:** Discussion Item      **Status:** Passed  
**File created:** 10/29/2019      **In control:** Town Council  
**On agenda:** 1/8/2020      **Final action:** 1/8/2020  
**Title:** Open the Public Hearing and Consider a Request to Close a Portion of the Public Right-of-Way on Glen Lennox Drive between Flemington Road and Fordham Boulevard.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Draft Staff Presentation, 2. Closure Request Letter from George Retschle, Ballentine Associates, including Draft Plat, 3. Exhibit of Requested Glen Lennox Drive Right-of-Way Closure, 4. NC Statute 160A-299, 5. Staff Presentation, 6. Council Questions with Staff Response, 7. A RESOLUTION CLOSING A PORTION OF THE RIGHT-OF-WAY ON GLEN LENNOX DRIVE BETWEEN FLEMINGTON ROAD AND FORDHAM BOULEVARD (2020-01-08/R-4)

Date	Ver.	Action By	Action	Result
1/8/2020	1	Town Council	adopted	Pass

### Open the Public Hearing and Consider a Request to Close a Portion of the Public Right-of-Way on Glen Lennox Drive between Flemington Road and Fordham Boulevard.

**Staff:**

Lance Norris, Director  
Chris Roberts, Manager of Engineering and Infrastructure  
Mike Wright, Senior Engineering Coordinator

**Department:**

Public Works

**Overview:** The Glen Lennox development agreement approved the construction of a 215-unit apartment building at the southwest corner of the intersection of Brandon Road and Flemington Road. The project includes transportation improvements on Fordham Boulevard, including constructing a new road, Glen Lennox Drive, and two partial traffic control signals to allow left-hand turn movements from southbound Fordham Boulevard onto Brandon Road, and onto Glen Lennox Drive. The intersection of Fordham Boulevard and Glen Lennox Drive will not act as a four-way traffic control signal.

The original design of Glen Lennox Drive included a median, non-protected bike lanes, and a crosswalk at the intersection with Fordham Boulevard. In addition, the original design included a right turn onto Hayes Road, which presented possible conflict points for pedestrians, bicycles, and motorists. The original design was plated and recorded with the Orange County Register of Deeds Office. Since the original design, the Glen Lennox design team increased their focus on bicycle and pedestrian amenities and removing as many conflicts as possible. This included removing the right turn onto Hayes Road, adding protected bike lanes, removing the median, and shortening the crosswalk at the intersection of Fordham Boulevard. These changes narrowed the public right-of-way from 96' to 79'. Glen Lennox Apartments, LLC is the sole adjacent property owner and requests that the Town of Chapel Hill close the remaining 17 feet of unnecessary right-of-way.

Once a plat has been recorded indicating the property lines and right-of-way, a formal process must be followed to close any public right-of-way. The process follows the North Carolina General Statute Section

160A-299, which requires the Council to first adopt a resolution declaring its intent to close the public right-of-way and calling a public hearing on the question. The resolution shall be published once a week for four successive weeks prior to the hearing. A notice of the closing and public hearing shall be posted in a least two places along the right-of-way.

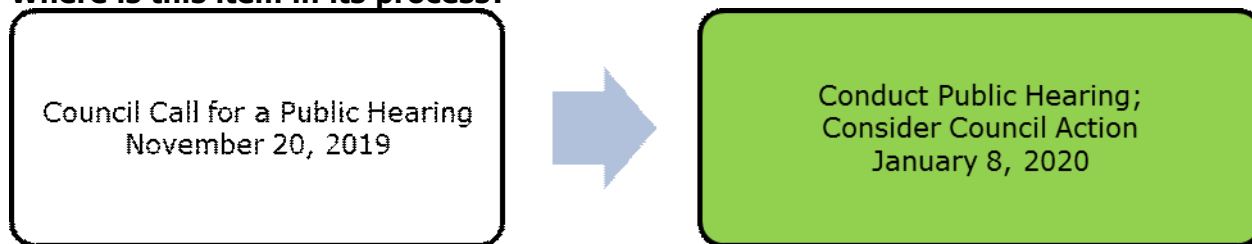


**Recommendation(s):**

That the Council open the Public Hearing to consider closing the portion of the public right-of-way on Glen Lennox Drive between Flemington Road and Fordham Boulevard. The Council may close the Public Hearing this evening and take action on the requested closures, or defer action to the January 22, 2020 meeting.

**Fiscal Impact/Resources:** Closing the right-of-way does not create costs to the Town.

**Where is this item in its process?**



**Attachments:**

- Resolution
- Draft Staff Presentation
- Closure Request Letter from George Retschle, Ballentine Associates, including Draft Plat
- Exhibit of Requested Glen Lennox Drive Right-of-Way Closure
- NC Statute 160A-299

**A RESOLUTION CLOSING A PORTION OF THE RIGHT-OF-WAY ON GLEN LENNOX DRIVE  
BETWEEN FLEMINGTON ROAD AND FORDHAM BOULEVARD (2020-01-08/R-4)**

WHEREAS, the Town of Chapel Hill received a request from Glen Lennox Apartments, LLC to close a portion of the Glen Lennox Drive public right-of-way between Flemington Road and Fordham Boulevard due to the redesign of the Glen Lennox Drive, reducing the width of the right-of-way; 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 redesign of Glen Lennox Drive is in accordance with Section 5.4 (a)(2) of the Glen Lennox Development Agreement; and

WHEREAS, a Public Hearing regarding the proposed right-of-way closure was held on January 8, 2020, in accordance with North Carolina General Statute Sec. 160A-299.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council hereby adopts this order pursuant to North Carolina G.S. 160A-299, permanently closing the portion of the Glen Lennox Drive public right-of-way between Flemington Road and Fordham Blvd.

BE IT FURTHER RESOLVED that a plat showing the closure and a copy of this Order shall be recorded by the adjacent property owners, with the Orange County Register of Deeds, upon approval by the Town and certification by the Town Manager that the preceding conditions of approval have been met, said certification to be attached to this Resolution as an Exhibit prior to recordation.

This the 8th day of January, 2020.

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

PRESENTER: Michael Wright, Senior Engineering Coordinator  
George Retschle, Ballentine Associates, PA

RECOMMENDATION: That the Council open the Public Hearing to consider closing the portion of the public right-of-way on Glen Lennox Drive between Flemington Road and Fordham Blvd. The Council may close the Public Hearing this evening and take action on the requested closure or defer action to the January 22, 2020 meeting.

