



TOWN OF CHAPEL HILL

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

Legislation Details (With Text)

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|-----------------------|--|----------------------|---|--------------|--|
| File #: | [20-0811] | Version: | 1 | Name: | |
| Type: | Discussion Item | Status: | | Held | |
| File created: | 9/3/2020 | In control: | | Town Council | |
| On agenda: | 11/18/2020 | Final action: | | | |
| Title: | Close the Public Hearing to Consider a Request to Close a Portion of an Unmaintained and Unimproved Monroe Street Public Right-of-Way. | | | | |
| Sponsors: | | | | | |
| Indexes: | | | | | |
| Code sections: | | | | | |
| Attachments: | 1. Monroe Street Requested Closure Plan, 2. NC General Statute 160A-299, 3. Staff Presentation, 4. Emails from the Public | | | | |

| Date | Ver. | Action By | Action | Result |
|------------|------|--------------|-----------------------------------|--------|
| 11/18/2020 | 1 | Town Council | continued the Legislative Hearing | Pass |

Close the Public Hearing to Consider a Request to Close a Portion of an Unmaintained and Unimproved Monroe Street Public Right-of-Way.

Staff:

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

Department:

Public Works

Overview: The developer of the Columbia Street Annex, CH Hotel Associates Limited Partnership, proposes to close approximately 150' of an unmaintained and unimproved portion of Monroe Street. This closure is needed to relocate the entrance of the development on South Columbia Street. The 30'-wide public right-of-way starts at its connection to the South Columbia Street right-of-way and extends west. This closure will disconnect the current Monroe Street right-of-way from South Columbia Street. The developer will dedicate a new easement providing reasonable access to the right-of-way at Columbia Street.

The requesting party must record and file a full public access easement per the submitted plan with the Orange County Register of Deeds before the subject right-of-way is removed from the plat of the Columbia Street Annex property.

This right-of-way public hearing will be presented as part of the [Columbia Street Annex](https://www.townofchapelhill.org/government/departments-services/planning/development-activity-report/columbia-street-annex-2017) [development](https://www.townofchapelhill.org/government/departments-services/planning/development-activity-report/columbia-street-annex-2017) public hearing (Project Number #18-039).

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):**

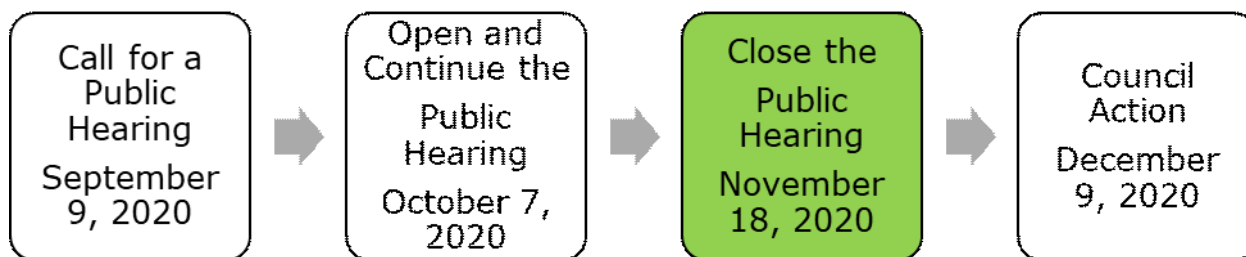
That the Council close the Public Hearing to consider closing the unmaintained and unpaved public right-of-way portion of Monroe Street. Under the recently enacted legislation authorizing public hearings at remote meetings, public comment may continue to be submitted into the hearing record for 24 hours after the November 18th public hearing. On December 9th, the Council may take action on the requested closure.

Fiscal Impact/Resources: The Town did not maintain this right-of-way, so there is no cost to the Town.

Key Issues:

- The closure will isolate one property, which is currently accessed via a private driveway to the paved portion of Monroe Street. The developer has proposed a full public access easement, which will continue to provide reasonable legal access to this parcel. The requesting party must record and file a full public access easement per the submitted plan with the Orange County Register of Deeds before the subject right-of-way is removed from the plat of the Columbia Street Annex property.

Where is this item in its process?



Attachments:

- Draft Resolution
- Requested Monroe Street Public Right-of-Way Closure Plan
- NC General Statute 160A-299

DRAFT RESOLUTION

A RESOLUTION TO APPROVE A REQUEST TO CLOSE A PORTION OF AN UNMAINTAINED AND UNIMPROVED PUBLIC RIGHT-OF-WAY ON MONROE STREET (2020-##-##/R-)**

WHEREAS, the Town of Chapel Hill has received a request from Wendi Ramsden, Coulter Jewell Thames, PA (representing CH Hotel Associates Limited Partnership, Owner) to close a portion of the unmaintained and unimproved Monroe Street public right-of-way; and

WHEREAS, one parcel will become isolated with this right-of-way closure; however, the right-of-way closure applicant will provide a legal reasonable means of access to this isolated property with a full public access easement; and

WHEREAS, dedication of the full public access easement will be required before the completion of the right-of-way closure process; and

WHEREAS, the Council finds, upon review of the facts and of information received at the Public Hearing, that closing this section of the Monroe Street right-of-way 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 a portion of the unmaintained and unimproved public right-of-way of Monroe Street.

This the ___th day of _____, 2020.

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

PRESENTER: Chris Roberts, Manager of Engineering and Infrastructure

- 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 and allow additional comments for 24-hours after discussing this item per recent Legislation

- e. Consider adopting the resolution to approve the right-of-way closure at the December 9, 2020 meeting.

RECOMMENDATION: That the Council continue and close a Public Hearing to consider closing the unmaintained and unpaved public right-of-way portion of Monroe Street. On December 9th, the Council may take action on the requested closure.