



# 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 created:** 3/10/2021 **In control:** Town Council

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**Title:** Consider Closing 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. GS\_160A-299, 3. A RESOLUTION TO APPROVE A REQUEST TO CLOSE A PORTION OF AN UNMAINTAINED AND UNIMPROVED PUBLIC RIGHT-OF-WAY ON MONROE STREET (2021-03-24/R-10)

Date	Ver.	Action By	Action	Result
3/24/2021	1	Town Council	adopted	Pass

### Consider Closing 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.

The right-of-way closure 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) <<https://www.townofchapelhill.org/government/departments-services/planning/development-activity-report/columbia-street-annex-2017>> development presentation (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. The public hearing was held [October 7, 2020](https://chapelhill.legistar.com/LegislationDetail.aspx?ID=4657882&GUID=E469C381-6269-4542-) <<https://chapelhill.legistar.com/LegislationDetail.aspx?ID=4657882&GUID=E469C381-6269-4542->, [November 18, 2020](https://chapelhill.legistar.com/LegislationDetail.aspx?ID=4696369&GUID=94D98395-5297-48E2-836A-8A100455E08E&Options=&Search=>) <<https://chapelhill.legistar.com/LegislationDetail.aspx?ID=4696369&GUID=94D98395-5297-48E2-836A-8A100455E08E&Options=&Search=>> and [closed](https://chapelhill.legistar.com/LegislationDetail.aspx?ID=4696369&GUID=94D98395-5297-48E2-836A-8A100455E08E&Options=&Search=>) [February 24, 2021](https://chapelhill.legistar.com/LegislationDetail.aspx?ID=4696369&GUID=94D98395-5297-48E2-836A-8A100455E08E&Options=&Search=>) <<https://chapelhill.legistar.com/LegislationDetail.aspx?ID=4696369&GUID=94D98395-5297-48E2-836A-8A100455E08E&Options=&Search=>>

[ID=4804636&GUID=A2BA101B-738B-479E-887C-5B0A5A3BDACB&Options=&Search=>](#).

- All publication and posting requirements of this statute have been met.



**Recommendation(s):**

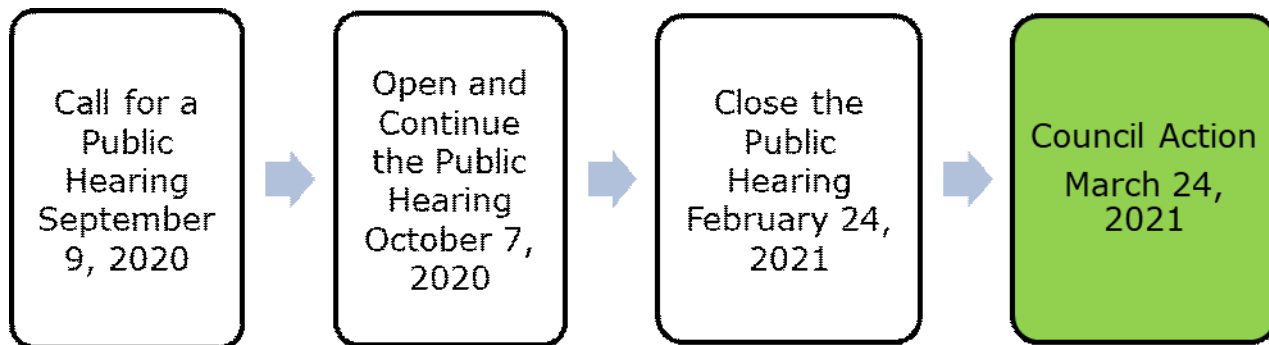
That the Council adopt a resolution to close an unmaintained and unpaved public right-of-way portion of Monroe Street.

**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:**

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

## RESOLUTION

### **A RESOLUTION TO APPROVE A REQUEST TO CLOSE A PORTION OF AN UNMAINTAINED AND UNIMPROVED PUBLIC RIGHT-OF-WAY ON MONROE STREET (2021-03-24/R-10)**

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 on October 7, 2020 <<https://chapelhill.legistar.com/LegislationDetail.aspx?ID=4657882&GUID=E469C381-6269-4542-87E6-94B30B23EBF4&Options=&Search=>>, November 18, 2020 <<https://chapelhill.legistar.com/LegislationDetail.aspx?ID=4696369&GUID=94D98395-5297-48E2-836A-8A100455E08E&Options=&Search=>> and February 24, 2021 <<https://chapelhill.legistar.com/LegislationDetail.aspx?ID=4804636&GUID=A2BA101B-738B-479E-887C-5B0A5A3BDACB&Options=&Search=>>, 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 24th day of March, 2021.

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**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

**RECOMMENDATION:** That the Council adopt a resolution to close an unmaintained and unpaved public right-of-way portion of Monroe Street.