



Legislation Details (With Text)

<b>File #:</b>	15-22526	<b>Version:</b>	1	<b>Name:</b>	
<b>Type:</b>	Public Hearing Item	<b>Status:</b>		Agenda Ready	
<b>File created:</b>	3/26/2024	<b>In control:</b>		City Council Business Meeting	
<b>On agenda:</b>	4/22/2024	<b>Final action:</b>			
<b>Title:</b>	Public Hearing on a Resolution to Close a Portion of Alleyway between Scott Avenue and Fountain View Street				
<b>Attachments:</b>	1. Abandonment Map, 2. Resolution				

Date	Ver.	Action By	Action	Result
4/22/2024	1	City Council Business Meeting	Close the Public Hearing	Pass

**Public Hearing on a Resolution to Close a Portion of Alleyway between Scott Avenue and Fountain View Street**

**Action:**

**Continue and conclude the public hearing to close a Portion of Alleyway between Scott Avenue and Fountain View Street.**

**Staff Resource(s):**

Debbie Smith, Transportation  
Charlie Jones, Transportation  
Casey Mashburn, Transportation

**Background**

- A public hearing to close a Portion of Alleyway between Scott Avenue and Fountain View Street was opened at the March 25, 2024, Council Business Meeting.
- The public hearing was continued until the April 22, 2024, Council Business Meeting to allow for additional time for planning and review of options by surrounding property owners.
- Council has heard from many concerned parties as to the resulting property access created by the proposed alley closure. The petitioner, concerned property owners, and staff have met on multiple occasions to share concerns and potential solutions.
- To resolve the community’s concerns, the petitioner has agreed to the following:
  - Widen and improve the public access easement connection to Fountain View Street and add striping to Fountain View Street to enable delivery and trash vehicles to serve the shopping center at 1417 East Boulevard
  - Provide continuous access to 1417 East Boulevard except for the time necessary to conduct the hardscape improvements (driveway, asphalt, etc.)
  - Construct a splitter island at the easement connection with Scott Avenue to discourage cut-through traffic from the 1315 East Boulevard property
  - Dedicate a new ten-foot alleyway that is realigned to provide better access to the future public access easement between Scott Avenue and Fountain View Street

**Explanation**

- NC General Statute Section 160A-299 outlines the procedures for permanently closing streets and alleys.
- The Charlotte Department of Transportation (CDOT) received a petition to abandon public right-of-

way and requests this City Council action in accordance with the statute.

- The action removes land from public right-of-way and attaches it to the adjacent property.
- The attached Resolution refers to exhibits and metes and bounds descriptions that are available in the City Clerk's Office.
- The alleyway to be closed is located in Council District 1.
- Council will be asked to vote to close the alleyway at the May 13, 2024, Business Meeting.

### **Petitioner**

SHG East Boulevard, LLC

### **Right-of-Way to be Abandoned**

Portion of Alleyway between Scott Avenue and Fountain View Street

### **Reason**

Per the petition submitted by SHG East Boulevard, LLC, The abandonment of the alleyway will facilitate the future redevelopment of abutting parcels of land. The city has no objections.

### **Notification**

As part of the city's notification process, and in compliance with NC General Statute 160A-299, CDOT submitted this abandonment petition for review by the public and city departments.

### Adjoining property owner(s)

None

### City Departments

- Review by City departments identified no apparent reason this closing would:
  - Be contrary to the public interest;
  - Deprive any individuals owning property in the vicinity of reasonable means of ingress and egress to their property as outlined in the statutes; or
  - Be contrary to the adopted policy to preserve existing rights-of-way for connectivity.

### **Attachment(s)**

Map

Resolution