

## Legislation Text

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File #: 15-22728, Version: 1

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### **Adopt a Resolution to Close a Portion of Alleyway Between Scott Avenue and Fountain View Street**

**Action:**

**Adopt a Resolution 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 heard from many concerned parties as to the resulting property access created by the proposed alley closure. The petitioner, concerned property owners, and staff met on multiple occasions to share concerns and potential solutions.
- To resolve the community's concerns, the petitioner 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/trash vehicles to serve the shopping center at 1417 East Boulevard (Collias Dev Co).
  - Provide continuous access to 1417 East Boulevard (Collias Dev Co) 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 10-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.

**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, the 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 individual(s) owning property in the vicinity of reasonable means of ingress and egress to their property as outlined in the statutes; and
  - Be contrary to the adopted policy to preserve existing rights-of-way for connectivity.

**Attachment(s)**

Map  
Resolution