

Legislation Details (With Text)

File #:	15-7715	Version:	1	Name:	
Type:	Public Hearing Item	Status:		Agenda Ready	
File created:	3/1/2018	In control:		City Council Business Meeting	
On agenda:	4/23/2018	Final action:		4/23/2018	
Title:	Public Hearing on a Resolution to Close an Unopened Right-of-Way off of Duckworth Avenue				
Attachments:	1. City Council Map_Unopened Street off of Duckworth Avenue, 2. Resolution to Close an unopened right-of-way off of Duckworth Avenue				

Date	Ver.	Action By	Action	Result
4/23/2018	1	City Council Business Meeting	Close the Public Hearing	Pass
4/23/2018	1	City Council Business Meeting	Approve	Pass

Public Hearing on a Resolution to Close an Unopened Right-of-Way off of Duckworth Avenue

Action:

- A. Conduct a public hearing to close an unopened right-of-way off of Duckworth Avenue, and**
- B. Adopt a resolution to close an unopened right-of-way off of Duckworth Avenue.**

Staff Resource(s):

Liz Babson, Transportation
Jeff Boenisch, Transportation

Explanation

- North Carolina General Statute 160A-299 outlines the procedures for permanently closing streets and alleys.
- The Charlotte Department of Transportation 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 status 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 unopened right-of-way off of Duckworth Avenue is located in Council District 2.

Petitioners

SCP Uptown Heights, LLC - Mr. J. Bart Hopper

Right-of-Way to be Abandoned

The unopened right-of-way is located north of Wesley Heights Way off of Duckworth Avenue.

Reason

The petitioner is vested in all of the abutting property and intends to reassemble this land to include the unopened right-of-way in order to accommodate the Wesley Heights Way Townhouse project. This abandonment/project is consistent with rezoning petition #2016-026, which was approved by City Council on April 18, 2016.

Notification

As part of the City's notification process, and in compliance with North Carolina General Statute 160A-299, the Charlotte Department of Transportation submitted this abandonment petition for review by the public and City Departments.

Adjoining property owner(s) - All abutting property is owned by the petitioner.

Neighborhood/Business Association(s)

Wesley Heights Community Association - Notified/no comments

Private Utility Companies - No objections

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 his 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