

## Legislation Details (With Text)

**File #:** 15-11786      **Version:** 1      **Name:**  
**Type:** Public Hearing Item      **Status:** Agenda Ready  
**File created:** 9/13/2019      **In control:** City Council Business Meeting  
**On agenda:** 10/14/2019      **Final action:** 10/14/2019  
**Title:** Public Hearing on a Resolution to Close a Portion of Darby Avenue  
**Attachments:** 1. Darby Avenue Abandonment Map, 2. Resolution to Close a portion of Darby Avenue

Date	Ver.	Action By	Action	Result
10/14/2019	1	City Council Business Meeting	Close the Public Hearing	Pass
10/14/2019	1	City Council Business Meeting	Approve	Pass

## Public Hearing on a Resolution to Close a Portion of Darby Avenue

### Action:

**A. Conduct a Public Hearing to close a portion of Darby Avenue, and**

**B. Adopt a Resolution to close a portion of Darby Avenue.**

### **Staff Resource(s):**

Liz Babson, Transportation

Casey Mashburn, Transportation

### **Explanation**

- North Carolina General Statute 160A-299 outlines the procedure 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 the 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.
- This portion of Darby Avenue is located in Council District 2.

### **Petitioner**

O'Leary Group Business Park, LLC

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

A portion of Darby Avenue.

### **Reason**

The abandonment of the portion of Darby Avenue will facilitate the redevelopment of certain parcels of land that abut the portion of Darby Avenue.

### **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)

O'Leary Group Business Park, LLC - No objections

Neighborhood/Business Association(s)

None

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 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