

## Legislation Details (With Text)

|                      |   |                      |   |                               |  |
|----------------------|---|----------------------|---|-------------------------------|--|
| <b>File #:</b>       | 15-13389  | <b>Version:</b>      | 1 | <b>Name:</b>                  |  |
| <b>Type:</b>         | Public Hearing Item   | <b>Status:</b>       |   | Agenda Ready                  |  |
| <b>File created:</b> | 5/15/2020   | <b>In control:</b>   |   | City Council Business Meeting |  |
| <b>On agenda:</b>    | 6/8/2020  | <b>Final action:</b> |   |                               |  |
| <b>Title:</b>        | Public Hearing on a Resolution to Close a Portion of an Alleyway between Waverly Avenue, Pierce Street, and Kenilworth Avenue |                      |   |                               |  |
| <b>Attachments:</b>  | 1. Waverly_Pierce_Kenilworth_Abandonment_Map  |                      |   |                               |  |

| Date     | Ver. | Action By                     | Action  | Result |
|----------|------|-------------------------------|---------|--------|
| 6/8/2020 | 1    | City Council Business Meeting | Approve | Pass   |
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## Public Hearing on a Resolution to Close a Portion of an Alleyway between Waverly Avenue, Pierce Street, and Kenilworth Avenue

### Action:

**Conduct a public hearing to close a portion of an alleyway between Waverly Avenue, Pierce Street, and Kenilworth Avenue.**

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

Liz Babson, Transportation  
Casey Mashburn, 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 proposed action removes land from public right-of-way and attaches it to the adjacent property.
- The alleyway to be closed is located in Council District 1.
- In compliance with NC G.S. § 166A-19.24 *Remote meetings during certain declarations of emergency*, written comments on the public hearing topic will be accepted by the Clerk's Office through June 9, 2020, at 11:59 p.m. Any additional comments received will be provided to Council.

### **Petitioner**

SunCap Property Group

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

A portion of the Alleyway between Waverly Avenue, Pierce Street, and Kenilworth Avenue

### **Reason**

The abandonment of a portion of the alley will allow for the Latta Kenilworth Multifamily Development, as approved in rezoning petition number 2018-163. The city has no objections.

### **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)

Parkview Condominiums - No objections

Kenilworth Avenue Charlotte, LLC - No objections

Vivek Shanti Tayal - 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