

## Legislation Details (With Text)

|                      |   |                      |   |                               |  |
|----------------------|---|----------------------|---|-------------------------------|--|
| <b>File #:</b>       | 15-18910  | <b>Version:</b>      | 1 | <b>Name:</b>                  |  |
| <b>Type:</b>         | Public Hearing Item   | <b>Status:</b>       |   | Agenda Ready                  |  |
| <b>File created:</b> | 10/3/2022   | <b>In control:</b>   |   | City Council Business Meeting |  |
| <b>On agenda:</b>    | 10/24/2022  | <b>Final action:</b> |   | 10/24/2022                    |  |
| <b>Title:</b>        | Public Hearing on a Resolution to Close an Unopened Portion of Whittington Street                     |                      |   |                               |  |
| <b>Attachments:</b>  | 1. Map - Portion of Whittington St Abandonment, 2. Resolution - Portion of Whittington St Abandonment |                      |   |                               |  |

| Date       | Ver. | Action By                     | Action                   | Result |
|------------|------|-------------------------------|--------------------------|--------|
| 10/24/2022 | 1    | City Council Business Meeting | Approve                  | Pass   |
| 10/24/2022 | 1    | City Council Business Meeting | Close the Public Hearing | Pass   |

## Public Hearing on a Resolution to Close an Unopened Portion of Whittington Street

### Action:

- A. Conduct a public hearing to close an Unopened Portion of Whittington Street, and**
- B. Adopt a resolution and close an Unopened Portion of Whittington Street.**

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

Debbie Smith, Transportation  
Anthony Mendez, Transportation

### **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 right-of-way to be closed is located in Council District 4.

### **Petitioner**

SDP Acquisitions I, LLC

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

An unopened portion of Whittington Street

### **Reason**

Per the petition submitted by SDP Acquisitions I, LLC, the abandonment will allow for development of the abutting properties. 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)

DH Griffin Infrastructure, LLC - 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