

## Legislation Text

---

File #: 15-7709, Version: 1

---

### Public Hearing on a Resolution to Close a Portion of East 16<sup>th</sup> Street

#### **Action:**

- A. Conduct a public hearing to close a portion of East 16<sup>th</sup> Street, and**
- B. Adopt a resolution to close a portion of East 16<sup>th</sup> Street.**

#### **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 portion of East 16<sup>th</sup> Street is located in Council District 1.

#### **Petitioners**

White Point Paces Partners, LLC - c/o Mr. John Carmichael

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

Located just northeast from Uptown, where East 16<sup>th</sup> Street intersects with Parkwood Avenue.

#### **Reason**

The action to abandon a portion of East 16<sup>th</sup> Street will remove excess right-of-way that will be created as a result of the East 16<sup>th</sup> Street realignment project at Parkwood Avenue, as shown on the Highland Park Mill rezoning petition (#2016-029), and approved by Council on May 16, 2016. This project will create a more symmetrical intersection by aligning the northernmost part of East 16<sup>th</sup> Street up to the southernmost section. Furthermore, the attached Resolution contains a contingency statement that voids this abandonment, should the realignment of East 16<sup>th</sup> Street not occur.

#### **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)

Optimist Park Neighborhood 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