THE CITY OF ASHEVILLE

STAFF REPORT

Council Meeting Date: January 12, 2021

Subject: Public hearing to permanently close a portion of right-of-way at the intersection of Courtland Avenue and Houston Street.

Staff Resource(s): Greg Shuler, Public Works Director
Chad Bandy, Streets Division Manager

Action Requested: Adoption of a resolution to permanently close of a portion of right-of-way at the intersection of Courtland Avenue and Houston Street.

Background:

- N.C. Gen. Stat. § 160A-299 grants cities the authority to permanently close streets and alleys.
- Youngblood and Sarah Haske have petitioned to close this right-of-way.
- They are the owners of 137 Houston Street, PIN #s 9639-90-3085 and 9639-90-3979.
- The Haskes have agreed to grant the City of Asheville an 11.5-foot easement from the new right-of-way line into the property.
- This easement will be for future sidewalk, water, and stormwater projects.
- This closure allows maximum land use potential for further development complying with Living Asheville - A Comprehensive Plan for our Future. Current plan is to recombine the two properties. Future use would be to add an auxiliary dwelling unit; however, no plans prepared at this time.
- This closure will allow for the recombination of parcels while removing the excess unused portion of right-of-way from the parcels.
- On December 8, 2020, a resolution of intent to hold this public hearing was passed and the portion of right-of-way was prominently posted in two locations along this right-of-way.

Council Goal(s):

- A well-planned and livable community

Committee(s):

- Multimodal Transportation Committee - October 28, 2020: unanimously supported the closure of the right-of- way with the condition of an 11.5’ easement remaining for future City of Asheville use.

Pro(s):

- The closure would allow for more efficient use of the existing adjacent properties.
- Meets Council’s goals to promote sustainable high density infill growth that makes efficient use of existing resources.

Con(s):

- None noted.

Fiscal Impact:

- There will be no fiscal impact related to this closure.

Suggested Motion:

- Motion to adopt resolution to permanently close a portion of right-of-way at the intersection of Courtland Avenue and Houston Street.

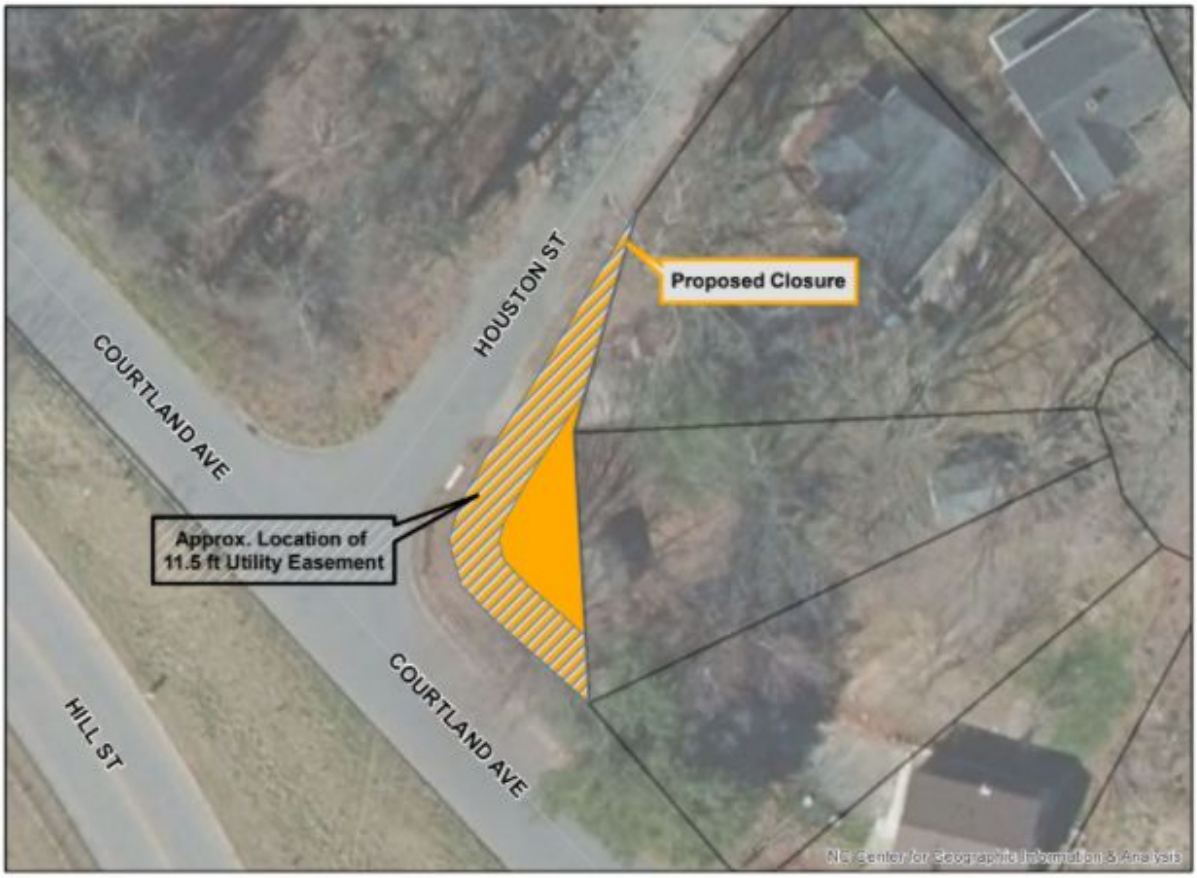
Attachment(s)

- Location Map
- Resolution

THE CITY OF ASHEVILLE

Right Of Way Closure
COURTLAND AVE - HOUSTON ST

N



Legend

- Local Interstate Highways
- Local US Highways
- Local NC Highway
- Local Highway Ramps
- Local Blue Ridge Parkway
- NC Interstate Highways
- Streets
- Proposed Easement
- Proposed Closure Area
- Parcels

2019 Orthoimagery



RESOLUTION NO. 21-_____

RESOLUTION TO PERMANENTLY CLOSE A PORTION OF RIGHT-OF-WAY AT THE INTERSECTION OF COURTLAND AVENUE AND HOUSTON STREET

WHEREAS, pursuant to section 160A-299 of the North Carolina General Statutes the City of Asheville has the authority to permanently close streets and alleys, including unopened right of ways; and

WHEREAS, the City of Asheville is hereby declaring its intent to permanently close a portion of right-of-way at the intersection of Courtland Avenue and Houston Street; and

WHEREAS, City Council on the 8th day of December, 2020, adopted a Resolution of Intent to permanently close a portion of right-of-way at the intersection of Courtland Avenue and Houston Street, and ordering a public hearing on the question of the closing for the 12th day of January, 2021, at its regular meeting on the 2nd floor of the City Hall building, Asheville, North Carolina; and

WHEREAS, the Resolution of Intent was published in the Asheville Citizen Times, a newspaper of general circulation in Buncombe County, North Carolina, once a week for four consecutive weeks prior to said public; and

WHEREAS, a copy of said Resolution of Intent was prominently posted at two locations along the right of way at the intersection of Courtland Avenue and Houston Street; and

WHEREAS, the City Council held a public hearing on the closure on January 12, 2021, and following the hearing, it appears to the satisfaction of the Council that closing the right-of-way is not contrary to the public interest and would not deprive any individual owning property in the vicinity in which said closure is located of reasonable means of ingress and egress to their properties;

NOW, THEREFORE, BE IT RESOLVED AND ORDERED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE THAT:

The City Council hereby permanently closes a portion of right of way at the intersection of Courtland Ave and Houston St, described as: Beginning at a point on PIN # 9639-90-3085 and ending on the same property for a total of 275 sq. ft., and on PIN # 9639-90-3979 beginning at a point on Houston St. and continuing south and ending at a point on Courtland Ave. for a total of 1,299 sq. ft.

A certified copy of this resolution and order shall be filed in the Office of the Buncombe County Register of Deeds.

Read, approved and adopted this 26th day of January, 2021.

_____ _____

City Clerk Mayor

Approved as to form:

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City Attorney