THE CITY OF ASHEVILLE

STAFF REPORT

Council Meeting Date: February 11, 2020

Subject: Public Hearing to permanently close a portion of Federal Alley.

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

Action Requested: Adoption of a resolution to permanently close a portion of Federal Alley

Background:

- N. C. Gen. Stat. Sec. 160A-299 grants cities the authority to permanently close streets and alleys.
- Asheland Properties LLC (PIN # 9648-38-0052, 9648-37-1928, 9648-37-2825, 9648-37-2643) has requested the closure.
- This closure allows maximum land use potential for further development while complying with *Living Asheville - A Comprehensive Plan for Our Future.* This is for the Asheland/Coxe development. This is a wide portion of right-of-way. This will allow the wider sidewalk to be constructed out to Federal Alley.

Council Goal(s):

- A well-planned and livable community

Committee(s):

- Multimodal Transportation Committee - December 11, 2019 - Recommended closing the right-of-way by unanimous vote.

Pro(s):

- The closure will allow the Asheland/Coxe development to install sidewalk and trees along Federal Alley.
- 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 Federal Alley.

Attachment(s)

- Location Map
- Resolution

THE CITY OF ASHEVILLE

Right Of Way Closure
Unopened ROW Off Federal Aly

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Legend

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

2019 Orthoimagery



RESOLUTION NO. 20-_____

RESOLUTION TO PERMANENTLY CLOSE A PORTION OF FEDERAL ALLEY

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 Federal Alley; and

WHEREAS, City Council on the 14th day of January, 2020, adopted a Resolution of Intent to permanently close a portion of Federal Alley, and ordering a public hearing on the question of the closing for the 11th day of February, 2020, 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 Federal Alley; and

WHEREAS, the City Council held a public hearing on the closure on February 11, 2020, 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 Federal Alley, described as 1253 sf of right of way along Federal Alley as described in Plat Book 7, Page 19 of the Buncombe County Register of Deeds.

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 11th day of February 2020.

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City Clerk Mayor

Approved as to form:

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City Attorney