

| Agenda Item | cover sheet

for consideration by the Apex Town Council

Item Type: PUBLIC HEARING

Meeting Date: August 8, 2023

Item Details

Presenter(s): Allen Coleman, Town Clerk

Department(s): Town Clerk's Office

Requested Motion

Public Hearing and possible motion to approve a closing of a right-of-way (ROW) on a portion of Burma Drive, located South of Goodworth Drive and North of Pristine Water Drive and between two tracts owned by Apex Industrial Owner 3, LLC.

Approval Recommended?

The Town Clerk recommends the Town Council approve the closing of the right-of-way (ROW) on a portion of Burma Drive, located South of Goodworth Drive and North of Pristine Water Drive and between two tracts owned by Apex Industrial Owner 3, LLC, pursuant to North Carolina General Statutes 160A-299 and the Town's adopted Policy on Closing Public Rights of Way for Streets, Roads, and Alleys.

Item Details

During the expansion of the Cash Corporate Center site in 2021, a bulb (e.g. cul-de sac) was created on Burma Drive for construction so the trucks could turn around in the street. As part of the developer receiving their Certificate of Occupancy, they dedicated some other ROW to the Town and the Town is abandoning the bulb portion of Burma Drive.

Essentially, this closure request is to correct an old plat that included a temporary cul-de-sac.

Transportation and Infrastructure staff worked with the developer of the Cash Corporate Center to address the turnaround removal and realign Burma Drive as previously constructed.

The Town's Technical Review Committee (comprised of many departments including transportation and infrastructure, planning, and public safety) all reviewed the submitted request and recommends Council consider this request.

On June 13, 2023, Council voted to adopt a resolution (RES-2023-030) signifying an intent to close the ROW referenced above and in the attached Plat Map (PH2-A1). Notice of the adopted resolution was published for four consecutive weeks, pursuant to North Carolina General Statutes (NCGS) §160A-299, and copies of the affidavits are included in the attachment section.

Attachments

- PH5-A1: Plat Map of Requested ROW Closure Area - Portion of Burma Drive
- PH5-A2: Adopted Resolution (RES-2023-030) of Intent to Consider the Requested ROW Closure Area - Portion of Burma Drive
- PH5-A3: Affidavit of Publication - ROW Closure Portion of Burma Drive
- PH5-A4: Policy on Closing Public Rights of Way for Streets, Roads, and Alleys - Portion of Burma Drive

