

Item Title: Request for Adoption of a Resolution Declaring an Intent to Close the Public Right-of-Way Portions of Tech Road and Daffodil Drive Near Wake Tech's Southern Campus and Calling for a Public Hearing on the Issue for March 1, 2021

Specific Action Requested:

That the Board of Commissioners adopts the attached resolution declaring an intent to close the public right-of-way portions of Tech Road and Daffodil Drive and calling for a public hearing on the issue for March 1, 2021.

Item Summary:

Purpose: Prior to holding a public hearing on a petition to close a public right-of-way, the North Carolina General Statutes requires that the Board of Commissioners must first adopt a resolution declaring their intent to close the right-of-way and calling for a public hearing on the question.

Background: The North Carolina Board of Transportation approved a petition from the property owners (i.e.--the Trustees of Wake Technical Community College Foundation, Mahmood Qadri, and Elizabeth Byrd) on February 4, 2021 to abandon from the state road maintenance system approximately 502 feet of Tech Road and approximately 591 feet of Daffodil Drive at the College's southern campus. The Wake County Board of Commissioners had adopted a resolution of support for that road abandonment petition on November 16, 2020. This was the first step in the process as required by NCDOT.

The next step in the right-of-way closure process is for the Board of Commissioners to hold a public hearing and close the noted rights-of-way as shown on the map and survey excerpt on the following pages. Prior to holding the public hearing, the North Carolina General Statutes require that the board first adopt a resolution stating their intent to close the public right-of-way segments of Tech Road and Daffodil Drive and to call for a public hearing for March 1, 2021.

Board Goal: This action supports routine County operations.

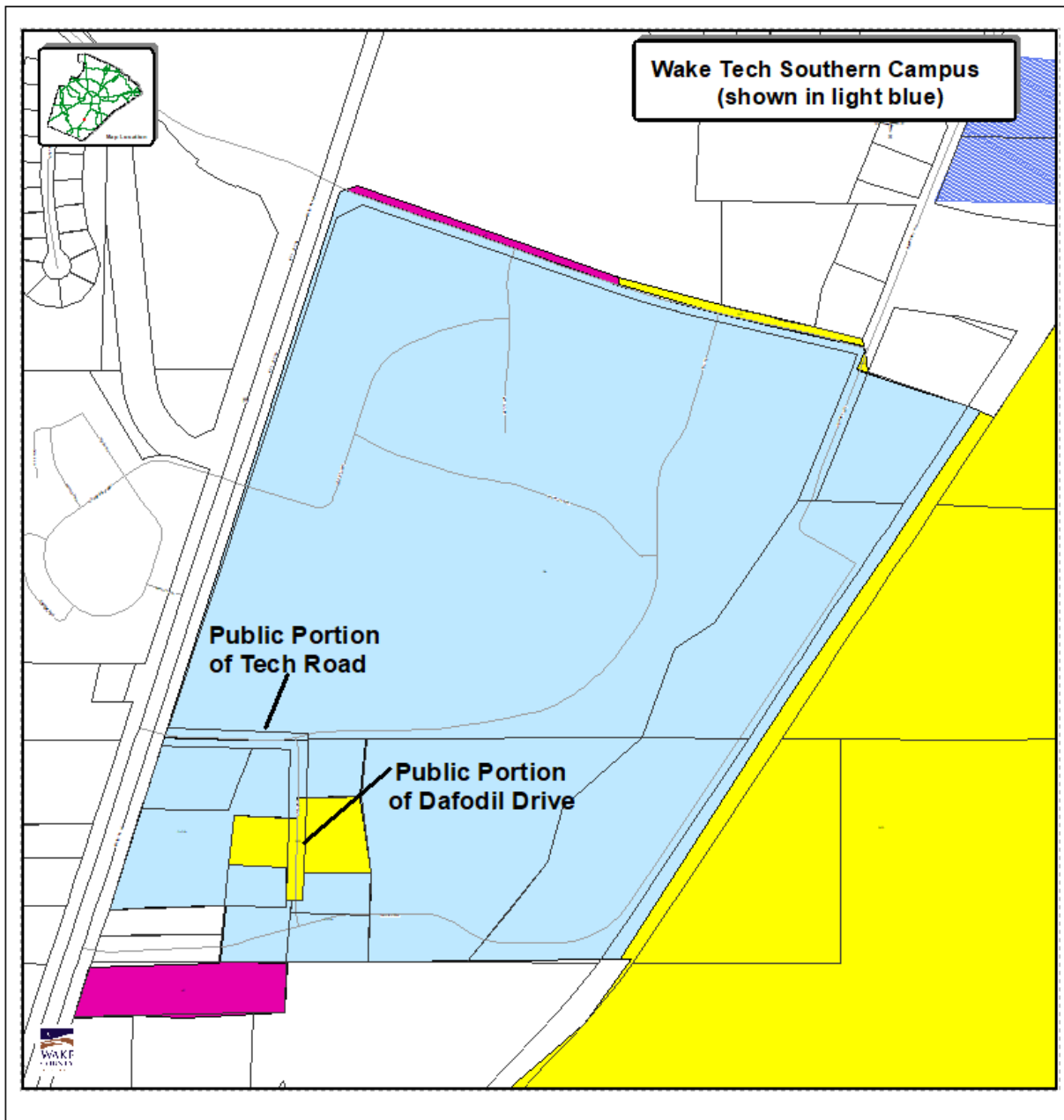
Fiscal Impact: There is no fiscal impact related to this agenda item.

Additional Information:

Need for Right-of-Way Closure

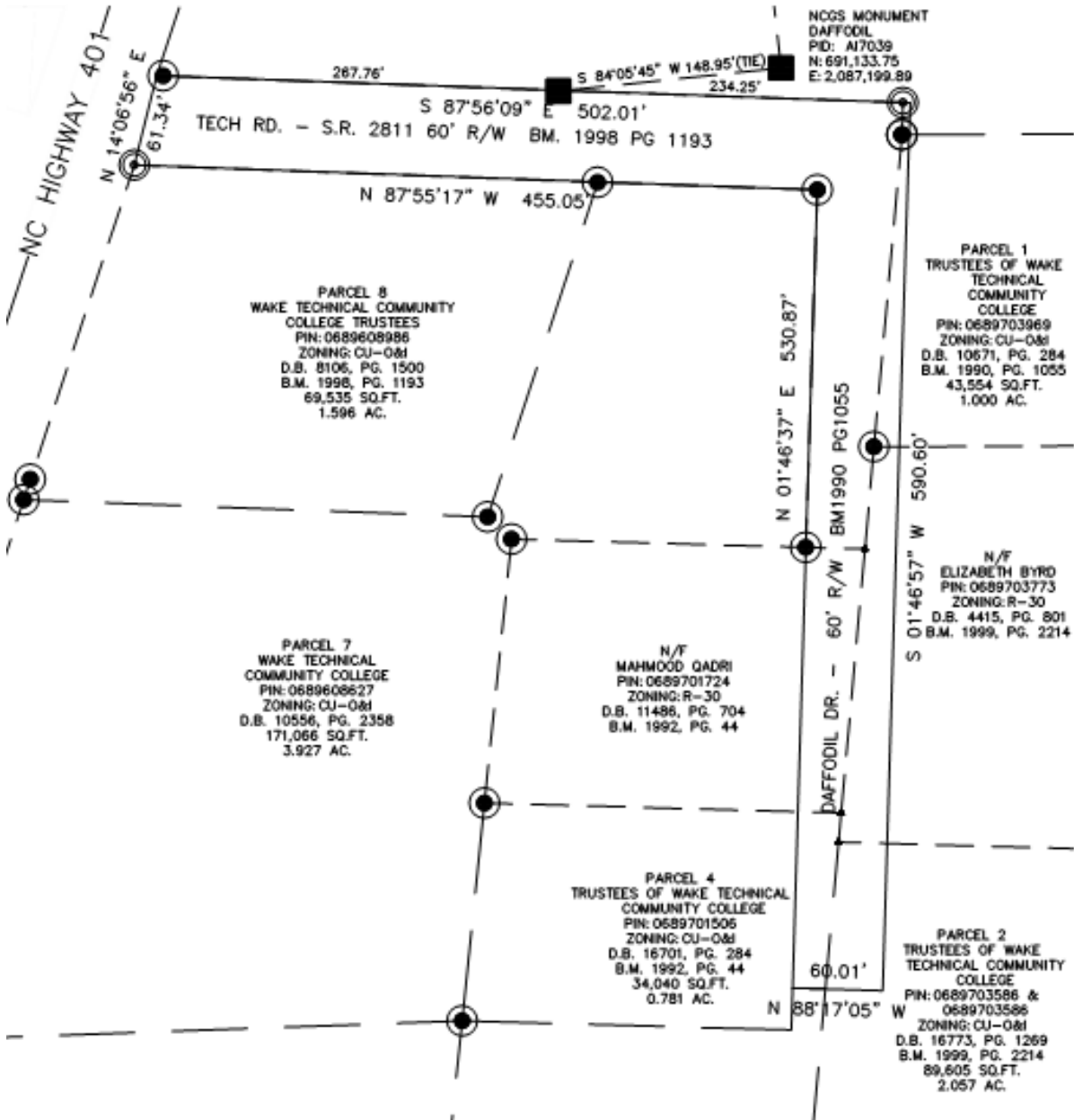
Tech Road is the primary circulation road through Wake Technical Community College's Southern Wake Campus off US 401/Fayetteville Road. The vast majority of this road is private, as are the other roads within the campus. However, the first 502 feet of Tech

Road had to be public to link US 401/Fayetteville Road to the public residential street, Daffodil Drive, that is adjacent to the campus. The location of the subject road segments within the overall campus are shown on the map below.



The pending right-of-way closure petition being requested for a public hearing on March 1, 2021 would allow for the right-of-way areas to be recombined with the adjacent lots as shown on the plat excerpt below.

A public secondary two-lane road is typically 20 to 24 feet wide and is centered within the associated public right-of-way that is typically 50 or 60 feet wide. Public roads are maintained by the North Carolina Department of Transportation.



NCDOT is proposing to construct the NC 540 outer loop in the next couple of years. NC 540 will run directly adjacent to the main campus to the north and as a result of that construction the campus' access to Old McCullers Road will be closed. To compensate for the loss of that road connection, Wake Tech has already constructed a southern loop road, Learning Way, through the campus. Wake Tech has also constructed a private road extension of Daffodil Drive to connect to Learning Way to improve traffic circulation and to provide access to a newly constructed GOTriangle bus stop with an associated park and ride lot.

Even with the new Learning Way roadway there is an anticipated significant increase in the traffic using Tech Road, which will create congestion and safety concerns along Tech Road. To ensure efficient traffic flow and to improve safety, Wake Tech is proposing to

construct a traffic circle at the intersection of Tech Road and Daffodil Drive at their own expense.

Wake Tech has determined that the best way to construct the traffic circle, while maintaining utility of the adjacent portions of the campus, is to convert these roads to private roads so that they will not be required to comply with the more restrictive NCDOT standards.

Wake Tech has coordinated this right-of-way closure petition with the two remaining residential property owners on Daffodil Drive, who are supportive of this effort (as shown on the attached petition form). Wake Tech will provide a permanent access easement to allow those two residents convenient ingress and egress to their properties. GOTriangle has an existing licensing agreement providing it with the right to access and use its bus stop and associated park and ride lot at the corner of Daffodil Drive and Learning Way.

Legal Advertisement/Notice Requirements for Public Hearing

Prior to holding the public hearing on March 1, 2021, the planning staff is required to run a legal advertisement in a newspaper of general circulation (e.g.—the News and Observer) once a week for three consecutive weeks, and post a prominent public hearing sign in at least two places along each road segment. Additionally, state law requires that certified letters be sent to all property owners along the subject road segment that were not a party to the closure request. However, in this case all adjoining property owners are petitioners for the closure, therefore no certified mailings are required.

Staff Findings:

1. The adoption of this resolution by the Board of Commissioners is required by North Carolina General Statutes.
2. The planning staff will ensure that all legal advertisement/notification requirements are adhered to prior to holding the public hearing.
3. Wake Tech's Board of Trustees has indicated that the closure of these rights-of-way are necessary to accommodate the construction of a traffic circle at the Tech Road and Daffodil Drive intersection to address increased traffic flow and resultant safety concerns.
4. The two remaining residential property owners on Daffodil Drive are supportive of this effort.

Attachments:

1. County Resolution Declaring an Intent to Close the Public Right-of-Way of Approximately 502 Feet of Tech Road and All of Daffodil Drive (Approximately 591 Feet) and Calling for a Public Hearing on the Issue for March 1, 2021
2. NCDOT Property Owners Right-of-Way Closure Petition
3. Survey of Tech Road and Daffodil Drive