City Of Raleigh

NORTH CAROLINA

December 3, 2014

Re: **Sidewalk Petition #2014-0013 – Ashburton Road**

Dear Property Owner:

The City of Raleigh has received a request to construct a sidewalk along **Ashburton Road** from **Kaplan Drive** to **Liles Road**. In order for this request to be considered, city policy requires the approval of fifty-one percent (51%) of the abutting property owners. Our staff Engineers have reviewed the street and are recommending installation of a 6 foot wide sidewalk with a 6 foot wide setback, on the West side of the street.

Please complete and sign the enclosed petition form and return it using the enclosed return envelope by January 17, 2015. The petition form **must be signed by all persons currently claiming ownership** of the listed property. A "yes" or in favor vote will not be counted unless all property owner signatures are provided. A Scanned copy of the completed form can also be returned to us via email to AssessmentSpecialist@raleighnc.gov, or via fax at 919-996-7167.

Property owners will not be required to pay for the sidewalk construction however there may be impacts to abutting properties where they border the street right of way. In some cases, construction of the sidewalk may require that easements be acquired from abutting property owners. Exact details of what areas may be impacted, and where easements may be needed, will not be known until the sidewalk has been designed.

Once the petition has closed, a follow up letter will be mailed to all property owners included in the petition with the official petition results. If the petition is successful, a public hearing will be held before the City Council to give all affected property owners the opportunity to provide comments on the proposed sidewalk. At the close of the hearing the City Council will take action on the petition request. All property owners included in the initial petition will be notified of the scheduled date and time of the public hearing. If the Council authorizes the construction of the sidewalk, the timeline for construction will depend on available funding. During the design phase of the project, property owners will be invited to attend a design meeting at which time they will have the opportunity to speak with our Staff Project Engineer regarding the sidewalk's design and provide comments.

Again, **please return the enclosed form by January 17, 2015**. If you have any questions regarding this petition or the petition process, please feel free to contact an Assessment Specialist at (919) 996-3030. Information is also available at www.raleighnc.gov, search: "sidewalk petition program."

Sincerely,

Donetta Powell

Donetta Powell
Assessment Specialist
City of Raleigh | Public Works

SAMPLE

One Exchange Plaza
1 Exchange Plaza, Suite 1020
Raleigh, North Carolina 27601

City of Raleigh
Post Office Box 590 • Raleigh
North Carolina 27602-0590
(Mailing Address)

Municipal Building
222 West Hargett Street
Raleigh, North Carolina 27601

City of Raleigh Public Works Department

Petition for Sidewalk Improvements

Sidewalk Petition # 2014-0013- Ashburton Road from Kaplan Dr to Liles Rd

Property Location/Real Estate ID: _____/_____

Listed Property Owner(s): _____

Mailing Address: _____
_____
_____

- **Please check one option and SIGN APPROPRIATELY**
  (signatures of all listed property owners is required)

____ Yes, I am in favor of the construction of a sidewalk along the above mentioned street.

____ No, I am opposed to the construction of a sidewalk along the above mentioned street.

_____
Signature

_____
Signature

- **Please provide your contact information and comments below**

Telephone Number: _____ Email: _____

_____

_____

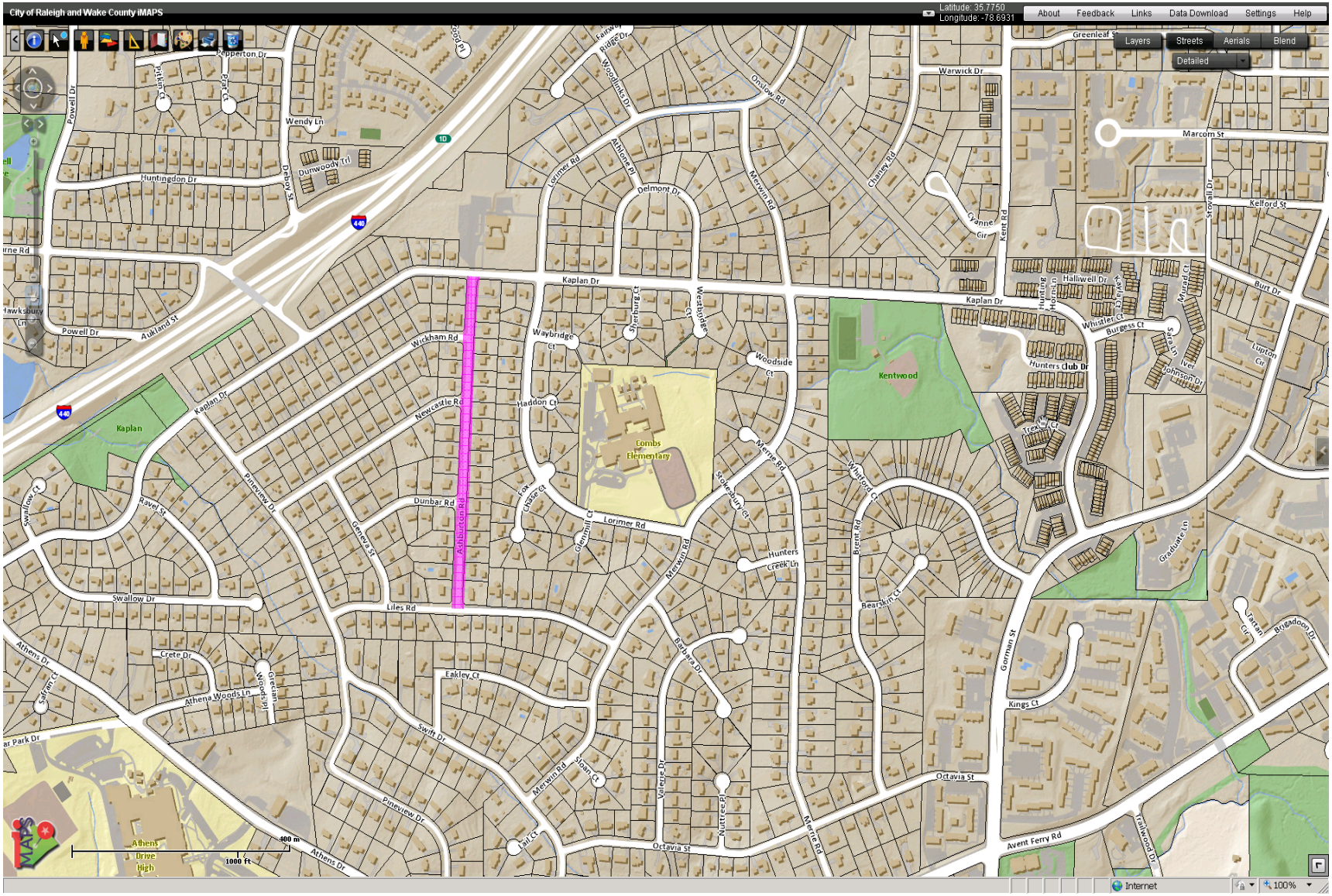
_____

_____

Please return this form by January 17, 2015, using the enclosed return envelope, via email at AssessmentSpecialist@Raleighnc.gov or via fax at 919-996-7167.

SAMPLE

ASHBURTON ROAD SIDEWALK PETITION
FROM KAPLAN DRIVE TO LILES ROAD



City Of Raleigh
Public Works Department ~ Design/Construction Division
222 W Hargett St ~ PO Box 590 ~ Raleigh, NC 27602
Office (919) 996-3030

Revised 6/3/2014

Sidewalk Petition Policy

Requesting Sidewalks

Residents/citizens can contact City Staff about any street that is missing sidewalks. Staff will research the request and forward it to the appropriate Division/Department based on the classification of the street where the sidewalk is being requested.

Requests for sidewalk on streets that are classified as "non-residential" streets do not require a petition. To have a non-residential street, with existing curb and gutter, considered for sidewalk, a verbal or written request is sufficient for placing that street on a priority list. The request will be received by the Office of Transportation Planning then evaluated and ranked against other requests for inclusion in the CIP Sidewalk Program.

Requests for sidewalks on streets that are classified as "residential" streets require a petition for consideration, with the exception of "small missing gaps" between existing sidewalks which may be considered without petition. These requests will be received by the Assessment Staff in the Design/Construction Division of the Public Works Department. In order for the street to be considered for a petition project, the request must meet the following criteria:

- The street must be a publicly maintained residential street.
- The street right-of-way must be completely within the City limits.
- The sidewalk project can not be already included in the sidewalk prioritization list. (No duplication of effort)
- The street must have curb and gutters, otherwise, the request must go through the normal street improvement petition process and will include sidewalk. Under certain circumstances, an alternative asphalt sidewalk may be desirable. This would not require the inclusion of a curb and gutter street. City Staff will determine if this is an option.
- The street must have a minimum one block length missing sidewalk or complete missing sections of sidewalk for consideration

Validity Of A Sidewalk Petition

After determining the requested street meets the requirements for a sidewalk petition, Staff will prepare and mail a Petition Form Letter along with a return postage paid envelope to all property owners along both sides of the street to be improved requesting their signature(s) should they be in favor of adding sidewalk to their street and be included in the petition accordingly. **In order for the petition to be valid for submission to the City Council for authorization to construct, we must receive signatures in favor from a majority of the abutting property owners from both sides of the street or 50% + 1**. The petition will remain open for a period of 45 days from the date of mailing. Once the petition period has been closed, staff will validate the responses received for sufficiency. If the petition meets the 50% + 1 sufficiency requirement it is considered "valid" and the petition will be submitted to the City Council for authorization to construct through the "public hearing" process.

In preparation of mailing the petition letters, Staff engineers will evaluate the street and provide a recommendation as to the location and placement of the proposed sidewalk in conjunction with the City's UDO and City policies and will be included in the petition letters. Staff will research current ownership with the Wake County Register of Deeds and Tax Office records. The petition letters will be mailed accordingly. In order to be counted in the petition sufficiency, the signatures must be as identified in the letter and according to ownership records on file with the Wake County Tax Office. In the case where there is no single-family ownership such as an estate, trust, or business, a representative may sign the form as long as they clearly indicate their association and must provide a phone number so that the signature can be verified. A copy of the "petition letter" and a list of the property owners included in the petition will be provided to the petitioner/requestor for their use in contacting the property owners and encouraging support for the requested sidewalk project.

Approximately one week prior to the close of the petition, a status as to the petition forms received will be provided to the petitioner/requestor. Following the close of the petition period, the petitioner and all property owners included in the petition will be notified by letter of the results of the petition. A resulting unsuccessful petition will not be allowed another petition request for a one year period.

Timeline/Construction

The timeline for construction of the sidewalk will depend on available funding. Once approved by City Council and funding has been appropriated, the Engineering staff will begin the design process. During this process, property owners will be invited to a design public meeting at which time they will be given the opportunity to provide input on the sidewalk's design.

Upon completion of construction of the sidewalk, property owners will not be required to pay an assessment. In some instances there may be impacts to properties bordering the street right of way. In some cases, construction of the sidewalk may require that right-of-way and/or easements be acquired from abutting property owners. Other property impacts that could affect abutting property owners are personal items and/or shrubbery that has been placed in the right-of-way. Details of what areas may be impacted, and where easements may be needed will not be known until the sidewalk has been designed.

Once the design has been completed and approved and any right-of-way/easements have been acquired, the project(s) will be bid for construction.

All requests for petitions should be made through the Assessment staff in the Design/Construction Division of the Public Works Department. If you are interested in additional information on the City's petition process for street and sidewalk improvements, **please contact the Public Works Department at (919) 996-3030 to speak with an Assessment Staff member**

Contacts:

919-996-3030	Assessment Staff
919-996-2155	Office Transportation Planning