



CITY OF DURHAM | DURHAM COUNTY
NORTH CAROLINA



Street Closing Report

Meeting Date: May 5, 2014

Reference Name	Street Closing – 127 linear feet of Vesson Avenue (SC1300006)	Jurisdiction	City
Request	To conduct a public hearing to consider the permanent closing of 127 linear feet of Vesson Avenue.		
Applicant	B. Wallace Design & Construction	Submittal Date	November 11, 2013
Location	West of Chapel Hill Road, north of Pinecrest Road		
Recommendation	Approve permanent closing of the public right-of-way.		

A. Summary

B. Wallace Design and Construction proposes to close a 127 linear foot segment of Vesson Avenue (Attachments 1 & 2). The right-of-way is currently open and the portion requested to be closed is bordered by the applicant’s property and property owned by Durham Public Schools (DPS). Lakewood Elementary School is located on the parcel owned by DPS.

B. Wallace Design & Construction is in the process of developing five (5) single family lots that will be accessed via the remaining portion of Vesson Avenue, if the street closing request is approved. The right-of-way to be closed will be recombined with the adjacent properties (Attachment 3).

B. Area Characteristics

The area surrounding the right-of-way is zoned Residential Suburban-10 (RS-10) and Residential Urban-5 (RU-5). This portion of Vesson Avenue is a boundary line between the Urban Tier and Suburban Tier. East of the centerline is the Urban Tier and west is the Suburban Tier. The site is located to the west of Chapel Hill Road and south of the intersection of Mcgehee Street and Vesson Avenue.

Adjacent Land Uses and Zoning			
	Uses	Zoning Districts	Overlay Districts
North	Residential	RU-5	None
South	Residential	RS-10	None
East	Residential	RU-5	None
West	Educational Facility	RS-10	None

C. Statutory Requirements

North Carolina Statute 160A-299 requires that the Governing Body make two findings prior to closing any street or alley. These are:

- 1) Closing the street or alley is not contrary to the public interest; and
- 2) No individual owning property in the vicinity of the street or alley or in which it is located would be deprived of reasonable means of ingress or egress to that property.

D. Code Requirements

Section 13.5.1 Access, of the Unified Development Ordinance requires that every buildable lot have access to a public or private street that is designed, constructed and maintained to the appropriate standards.

E. Service Impacts

This request was submitted to service agencies for review and comment. Their comments are shown below:

Service Agency Comments		
Service Agency	Comments	How Addressed
NCDOT	No impact	n/a
County - Engineering	No impact	n/a
County - Fire Marshall	No impact	n/a
Durham County Sherriff	No impact	n/a
Emergency Medical Services	No impact	n/a
911	No impact	n/a
Durham Public Schools	No impact	n/a
City - Transportation	No impact	n/a
City - Engineering	No impact	n/a
City - Fire Department	No impact	n/a
City – Parks and Recreation	No impact	n/a
City – Solid Waste	No impact	n/a
City – Inspections	No impact	n/a
City – General Services	No impact	n/a
Police Department	No impact	n/a
Duke Energy	No impact	n/a
PSNC	No impact	n/a
Frontier	No impact	n/a
Tax Assessor Office	No impact	n/a
Address Coordinator, GIS	No impact	n/a

F. Staff Analysis

The area adjacent to the right-of-way is zoned RS-10 and RU-(5) and is in both the Suburban and Urban Tiers. The proposed street closing plat (Attachment 3) indicates that the requested right-of-way will be recombined with the adjacent properties. Staff finds this portion of Vesson Avenue to have little, if any, value to the public at-large and recommends approval of the street closing.

G. Recommendation

Approve the permanent closing of 127 linear feet of public right-of-way.

H. Staff Contact

Jacob Wiggins, Planner, 919.560.4137 ext. 28257 jacob.wiggins@durhamnc.gov

I. Attachments

1. Context Map
2. Aerial Map
3. SC1300006 – Street Closing Plat Reduction
4. Street Closing Application
5. Street Closing Order