



CITY OF DURHAM | DURHAM COUNTY
NORTH CAROLINA

Street Closing Report



Meeting Date: October 6, 2014

Reference Name	Street Closing – A request to close 869.47 linear feet of Amanda Road (SC1400001)	Jurisdiction	City
Request	To conduct a public hearing to consider the permanent closing of 869.47 linear feet of Amanda Road.		
Applicant	Tony Tate, Patterson Park, LLC	Submittal Date	December 6, 2013
Location	South of Barbee Road, west of Grandale Drive		
Recommendation	Approve permanent closing of the public right-of-way.		

A. Summary

Tony Tate, of Tony M. Tate Landscape Architecture, PA, proposes to close 869.47 linear feet of Amanda Road (Attachment 1). The applicant is specifically proposing to close the entire length of this street. The right-of-way is currently open, but unpaved, and the street requested for closure is bordered by property owned by Herndon Management, LLC, Jean Herndon, Joshua Sorrell, and Anita & Conrado Gonzalez. If the request is approved, the right-of-way will be recombined with the adjacent properties as seen on the attached Street Closing Plat (Attachment 4).

The request is associated with rezoning case presently under review (Case Z1300035), in which the applicant is requesting to rezone adjacent parcels from Residential Rural (RR) to Planned Development Residential 3.700 (PDR 3.700). A copy of the proposed development plan for this case is attached (Attachment 5).

B. Area Characteristics

The area surrounding the right-of-way is zoned RR and the street requested for closure is located within the Suburban Tier. The subject site is located to the south of Barbee Road and west of Grandale Drive. The table below indicates the adjacent uses and zoning:

Adjacent Land Uses and Zoning			
	Uses	Zoning Districts	Overlay Districts
North	Residential	RR	F/J-B
South	Residential	RR	F/J-B
East	Residential	RR	F/J-B
West	Residential	RR	F/J-B

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

Service Agency Comments		
City – General Services	No impact	n/a
Police Department	No impact	n/a
Duke Energy	Easement Requested	Easement Provided
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 RR and is located within the Suburban Tier. The proposed street closing plat (Attachment 4) indicates that the requested right-of-way will be recombined with the adjacent properties. Staff finds Amanda Road to be nugatory to the public at-large. Additionally staff finds that the public is likely to benefit from the removal of the obtuse intersection of Amanda Road and Barbee Road and recommends approval of the street closing.

G. Recommendation

Approve the permanent closing of 869.47 linear feet of Amanda Road.

H. Staff Contact

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

I. Attachments

1. Context Map
2. Aerial Map
3. Street Closing Application
4. SC1400001 – Street Closing Plat Reduction
5. Z1300035 – Development Plan Reduction
6. Street Closing Order