



CITY OF DURHAM | DURHAM COUNTY  
NORTH CAROLINA



Street Closing Report

Meeting Date: June 15, 2015

<b>Reference Name</b>	Street Closing – A request to close 235.53 linear feet of Roney Street	<b>Jurisdiction</b>	City
<b>Request</b>	To permanently close 235.53 linear feet of Roney Street		
<b>Applicant</b>	Coulter Jewell Thames	<b>Submittal Date</b>	July 29, 2014
<b>Location</b>	South of West Corporation Street and west of Foster Street		
<b>Recommendation</b>	Approve permanent closing of the public right-of-way.		

**A. Summary**

Coulter Jewell Thames proposes to close 235.53 linear feet of Roney Street. The right-of-way is currently open and the portion of the street requested for closure is bordered by property owned by the City of Durham, Durham Credo LLC, and E.L. Clark. If the request is approved, this portion of the right-of-way will be equally distributed to the adjoining property owners (Attachment 4).

This right-of-way is bordered by Durham Central Park to the west and south. The applicant proposes to develop the properties to the east of the subject right-of-way and desire a portion of this right-of-way for their development (Case D1400231, Attachment 3).

An easement agreement has been submitted in conjunction with this request. If approved, the agreement will, among other items, permit access to Central Park through the subject site. This agreement was initiated due to concerns raised by Durham Parks and Recreation and General Services about access for Central Park. At the present time Planning Staff is unaware of any outstanding issues regarding this request.

**B. Area Characteristics**

The area surrounding the right-of-way is zoned Design District-Core (DD-C) and Design District-Support 1 (DD-S1) and is located within the Downtown Tier. The subject site is generally located south of West Corporation Street and west of Foster Street.

<b>Adjacent Land Uses and Zoning</b>			
	<b>Uses</b>	<b>Zoning Districts</b>	<b>Overlay Districts</b>
<b>North</b>	Athletic Stadium	DD-S1	None
<b>South</b>	Park/Recreation	DD-C	None
<b>East</b>	Proposed Residential	DD-C	None
<b>West</b>	Park/Recreation	DD-C	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:

<b>Service Agency Comments</b>		
<b>Service Agency</b>	<b>Comments</b>	<b>How Addressed</b>
<b>NCDOT</b>	No impact	n/a
<b>County - Engineering</b>	No impact	n/a
<b>County - Fire Marshall</b>	No impact	n/a
<b>Durham County Sherriff</b>	No impact	n/a
<b>Emergency Medical Services</b>	No impact	n/a
<b>911</b>	No impact	n/a
<b>Durham Public Schools</b>	No impact	n/a
<b>City - Transportation</b>	No impact	n/a
<b>City - Engineering</b>	No impact	n/a
<b>City - Fire Department</b>	No impact	n/a
<b>City – Parks and Recreation</b>	Access Concerns	Easement Agreement
<b>City – Solid Waste</b>	No impact	n/a
<b>City – Inspections</b>	No impact	n/a

Service Agency Comments		
City – General Services	Access Concerns	Easement Agreement
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 DD-C and DD-S1 and is located in the Downtown Tier. The proposed street closing plat (Attachment 4) indicates that the requested right-of-way will be recombined with the adjacent properties. Staff finds this portion of Roney Street to have little value to the public at-large and recommends approval of the street closing.

**G. Recommendation**

Approve to request to permanently 235.53 linear feet of Roney Street.

**H. Staff Contact**

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**I. Attachments**

1. Context Map
2. Aerial Map
3. Street Closing Application
4. SC1400017 – Street Closing Plat Reduction
5. Case D1400231 Site Plan Sheet
6. Street Closing Order