



Street Closing Report

Meeting Date: May 4, 2015

Reference Name	Street Closing – A request to close 7,251 square feet of Willow Street	Jurisdiction	City
Request	To permanently close a 7,251 square foot portion of Willow Street		
Applicant	Edens Land Corp	Submittal Date	October 1, 2014
Location	South of Ward Street, west of Chester Springs Road		
Recommendation	Approve permanent closing of the public right-of-way.		

A. Summary

Edens Land Corp proposes to close a 7,251 square foot portion of Willow Street. The right-of-way is currently open and the portion of the street requested for closure is bordered by property owned entirely by B. Wallace Design & Construction, LLC. If the request is approved, this portion of the right-of-way will be recombined with the adjacent properties owned by B. Wallace (Attachment 4).

The area adjacent to this right-of-way is vacant. The applicant ultimately hopes to create a cul-de-sac in this area to serve a residential project.

B. Area Characteristics

The area surrounding the right-of-way is zoned Residential Urban – 5(2) (RU-5(2)). The portion of this street requested for closure is in the Urban Tier and is within the Tuscaloosa-Lakewood Neighborhood Protection Overlay District. The subject site is generally located south of Ward Street and west of Chester Springs Road.

Adjacent Land Uses and Zoning			
	Uses	Zoning Districts	Overlay Districts
North	Vacant	RU-5(2)	Tuscaloosa-Lakewood
South	Vacant	RU-5(2)	Tuscaloosa-Lakewood
East	Vacant	RU-5(2)	Tuscaloosa-Lakewood

West	Vacant	RU-5(2)	Tuscaloosa- Lakewood
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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

Service Agency Comments		
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 RU-5(2) and is located in the Urban Tier. The proposed street closing plat (Attachment 4) indicates that the requested right-of-way will be recombined with the adjacent properties. The proposed closing results in two un-connected portions of Willow Street. The applicant has submitted a street renaming request (SN1500001) to rectify this issue. Staff finds this portion of Willow Street to have little value to the public at-large and recommends approval of the street closing and the associated renaming request.

G. Recommendation

Approve to request to permanently close a 7,251 square foot portion of Willow Street.

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. SC1400018 – Street Closing Plat Reduction
5. Street Closing Order