



CITY OF DURHAM | DURHAM COUNTY  
NORTH CAROLINA



Street Closing Report

Meeting Date: June 1, 2015

<b>Reference Name</b>	Street Closing – A request to close a 87,012 square feet of public right of way; a portion of Ridgeway Road and all of Ridgeway Court	<b>Jurisdiction</b>	City
<b>Request</b>	To permanently close 87,012 square feet of public right of way		
<b>Applicant</b>	Edens Land Corp	<b>Submittal Date</b>	January 5, 2015
<b>Location</b>	North of Celeste Circle and east of George King Road		
<b>Recommendation</b>	Approve permanent closing of the public right-of-way.		

**A. Summary**

Edens Land Corp proposes to close 87,012 square feet of public right of way. The request comprises a portion of Ridgeway Road and all of Ridgeway Court. The right-of-way is currently open and the portion of the street requested for closure is bordered by property owned entirely by SLV NC 2, LLC. If the request is approved, this portion of the right-of-way will be recombined with the adjacent properties owned by SLV NC 2, LLC (Attachment 4).

The area adjacent to this right-of-way is vacant. The applicant intends to construct a residential project as per a recent rezoning request for this site (Case Z1300014). The area adjacent to the subject right-of-way was rezoned to PDR 8.000 as part of the rezoning request. The applicant has also submitted a request to rename the remaining portions of Ridgeway Road (SN1500001, -2).

**B. Area Characteristics**

The area surrounding the right-of-way is zoned Planned Development Residential 8.000 (PDR 8.000) and is located in the Suburban Tier. The subject site is generally located north of Celeste Circle and east of George King Road.

Adjacent Land Uses and Zoning			
	Uses	Zoning Districts	Overlay Districts
<b>North</b>	Vacant	PDR 8.000	F/J-B
<b>South</b>	Residential	PDR 8.000	F/J-B
<b>East</b>	Vacant	PDR 8.000	F/J-B
<b>West</b>	Vacant	PDR 8.000	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:

<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>	No impact	n/a
<b>City – Solid Waste</b>	No impact	n/a
<b>City – Inspections</b>	No impact	n/a
<b>City – General Services</b>	No impact	n/a
<b>Police Department</b>	No impact	n/a
<b>Duke Energy</b>	No impact	n/a
<b>PSNC</b>	No impact	n/a
<b>Frontier</b>	No impact	n/a
<b>Tax Assessor Office</b>	No impact	n/a
<b>Address Coordinator, GIS</b>	No impact	n/a

**F. Staff Analysis**

The area adjacent to the right-of-way is zoned PDR 8.000 and is located in the Suburban Tier. The proposed street closing plat (Attachment 4) indicates that the requested right-of-way will be recombined with the adjacent properties and that those properties will be combined into one parcel. The proposed closing results in two un-connected portions of Ridgeway Road. The applicant has submitted two street renaming requests (SN1500002,-3) to rectify this issue. Staff finds that Ridgeway Court has little or no value to the public at-large. Additionally, Staff also finds that this portion of Ridgeway Road has little or no value to the public and recommends the approval of both street closing requests.

**G. Recommendation**

Approve to request to permanently close 87,021 square feet of public right-of-way – the entirety of Ridgeway Court and a portion of Ridgeway Road.

**H. Staff Contact**

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**I. Attachments**

1. Context Map
2. Aerial Map
3. Street Closing Application
4. SC1500001,-2 – Street Closing Plat Reduction
5. Street Closing Order