



CITY OF DURHAM | DURHAM COUNTY
NORTH CAROLINA



Street Closing Report

Meeting Date: September 21, 2015

Reference Name	Street Closing – A request to close 422 linear feet of Beamon Street	Jurisdiction	City
Request	To permanently close 422 linear feet of public right of way		
Applicant	Mike Tarrant	Submittal Date	April 17, 2015
Location	West of South Roxboro Street, north of East Piedmont Avenue		
Recommendation	Approve permanent closing of the public right-of-way.		

A. Summary

Mike Tarrant requests to close 422 linear feet of public right-of-way for Beamon Street. This right-of-way comprises the entirety of Beamon Street. The right-of-way is open and is bordered by property owned by the City of Durham and Gethsemane Baptist Church (Attachment 1, 2). If the request is approved, the right-of-way will be divided amongst the adjoining property owners (Attachment 4). The right-of-way will be divided equally among the property owners, save for a small portion adjacent to Gethsemane Baptist Church. As the right-of-way is not shown to be divided equally among the adjoining owners, both parties will be required to sign the street closing plat if the request is approved.

The area adjacent to this right-of-way is bordered by a place of worship and vacant land which is proposed for development. If the request is approved, the properties owned by the City will be developed with residential units (Attachment 5, Case D1500071).

B. Area Characteristics

The area surrounding the right-of-way is zoned Residential Urban-5(2) (RU-5(2)) and Residential Suburban-Multifamily (RS-M) and is located in the Urban Tier. The subject site is generally located west of South Roxboro Road and north of East Piedmont Avenue.

Adjacent Land Uses and Zoning			
	Uses	Zoning Districts	Overlay Districts
North	Vacant	RS-M	None
South	Residential	RS-M	None
East	Vacant	RU-5(2)	None

West	Vacant	RS-M	None
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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
Tax Assessor Office	No impact	n/a

Service Agency Comments		
Address Coordinator, GIS	No impact	n/a

F. Staff Analysis

The area adjacent to the right-of-way is zoned RS-M and 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 and a portion of those properties will be developed for single family residences (Attachment 5). Staff finds that Beamon Street has little or no value to the public at-large and recommends the approval of the street closing request.

G. Recommendation

Approve to request to permanently close 422 linear feet of Beamon 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. SC1500004 – Street Closing Plat Reduction
5. Case D1500071 Site Plan Reduction
6. Street Closing Order