



Legislation Details (With Text)

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**File created:** 2/16/2017    **In control:** City Council  
**On agenda:** 3/21/2017    **Final action:** 3/21/2017  
**Title:** Resolution Closing a Portion of Bain Street  
**Sponsors:** Planning  
**Indexes:**  
**Code sections:**

**Attachments:** 1. Bain Map, 2. Bain Street Closing Petition, 3. ZCDF LLC SOS.pdf, 4. PB 2017 3 MAR minutes.pdf, 5. 17-0118 Bain Street Closing Resolution.pdf

Date	Ver.	Action By	Action	Result
3/21/2017	1	City Council	adopt	Pass

Resolution Closing a Portion of Bain Street

Department: Planning  
Council District: District #2

Public Hearing: Yes  
Advertising Date/By: March 8 and 15, 2017/ City Clerk

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**PURPOSE:**

The property owner has requested the closing of a portion of the Bain Street. Staff requests that City Council hold a public hearing to receive public comment and to consider adoption of the street closing resolution.

**BACKGROUND:**

This portion of Bain Street, from a point approximately 195 feet west of its intersection with South Elm Street westward, approximately 156.86 feet to its terminus. The portion of R-O-W that is requested to be closed is identified as the 0.155-acre (6,764 sf) portion of Bain Street as shown on the attached survey.

The petition was signed by the property owners bordering on 100% of the right-of-way.

The closing is being requested so that the land can be added to the abutting property to aid future development.

**BUDGET IMPACT:**

There will be no impact on the current or future budgets.

**RECOMMENDATION / ACTION REQUESTED:** The Technical Review Committee (TRC) feels

circumstances here allow the City to make the two required determinations for a street closing: (1) that closing the street to vehicular traffic is not contrary to the public interest, and (2) that no property owner in the vicinity is deprived of reasonable means of ingress and egress.

In order to maintain “reasonable means of ingress and egress,” the applicant has been advised that the two resultant lots would need to be recombined so that each lot has frontage and direct vehicular access to a public street.

Therefore, the Technical Review Committee (TRC) recommended the closing with two conditions: (1) the City shall retain 20-foot utility easements over existing utility lines until such time as the lines are no longer needed for public use, and (2) That the applicant shall dedicate to the City of Greensboro a 20-foot access and emergency vehicle turn-around easement.

The Planning Board recommended this closing, with the stated conditions, at its February meeting on a vote of 6-0-2. Accordingly, it is recommended that on March 21, 2017, the City Council hold a public hearing to receive public comment and to consider adoption of the resolution closing this portion of Bain Street.