



Legislation Details (With Text)

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Title: Resolution Closing Hardindale Drive from Muirs Chapel Road Westward Approximately 260 Feet to its Terminus (Brigham Road, LLC)
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Date	Ver.	Action By	Action	Result
5/15/2018	1	City Council	adopt	Pass

Resolution Closing Hardindale Drive from Muirs Chapel Road Westward Approximately 260 Feet to its Terminus (Brigham Road, LLC)

Department: Planning
Council District: District #4

Public Hearing: Yes
Advertising Date/By: May 3 and 10, 2018/City Clerk

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PURPOSE:

Brigham Road, LLC has requested the closing of Hardindale Drive from a point 40 feet from the centerline of Muirs Chapel Road westward approximately 260 feet to its terminus. Staff requests that City Council hold a public hearing to receive public comment and to consider adoption of the street closing resolution.

BACKGROUND:

This request involves the right-of-way for Hardindale Drive, approximately 260 feet.

The petition was signed by the property owners bordering 528 feet (100%) of the 528 feet of total frontage along the right-of-way.

This street was dedicated as part of the "Subdivision of Portion of Property of R.G. Hardin" as recorded in Plat Book 26 on Page 87.

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 abutting lots and the street right-of-way will need to be combined so that each lot has frontage and direct vehicular access to a public street.

Therefore, the TRC recommended the closing of the above-specified portion of Hardindale Drive with the following conditions:

1. That 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.
2. That all existing buildings shall be removed from the abutting property prior to the recording of the recombination plat.
3. That the street closure is to become effective upon the recording of a recombination plat in the Guilford County Register of Deeds that depicts the portion of street to be closed being combined with the abutting property so that each resultant lot has frontage and direct vehicular access to a public street.

The Planning Board recommended this closing, with the stated conditions, at its April meeting on a vote of 6-0-1.

Accordingly, it is recommended that on May 15, 2018, the City Council hold a public hearing to receive public comment and to consider adoption of the resolution closing Hardindale Drive from a point 40 feet from the centerline of Muirs Chapel Road westward approximately 260 feet to its terminus.