



Legislation Text

File #: ID 17-0464, **Version:** 1

Resolution Closing Martinsville Court Between Battleground Avenue and Martinsville Road

Department: Planning
Council District: District #4

Public Hearing: Yes
Advertising Date/By: July 6th and 13th / City Clerk

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PURPOSE:

The property owners have requested the closing of Martinsville Court Between Battleground Avenue and Martinsville Road. Staff requests that City Council hold a public hearing to receive public comment and to consider adoption of the street closing resolution.

BACKGROUND:

The petition has been signed by Garson L. Rice Jr. (Martinsville Co., LLC and EDR. Inc.), William M. Kotis, Jr. (WAW Battleground 2704, LLC), Ronnie R. Gaines (Gaines Investment Properties, LLC), and Mark O. Sugg (Tops Realty, LLC).

This represents the property owners bordering 1,060 feet (100%) of the 1,060 feet of total frontage along this portion of the right-of-way.

No record of the streets dedication could be found.

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.

Therefore, the Technical Review Committee (TRC) recommended the closing with six conditions:

1. That the City of Greensboro 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 the portion of right-of-way to be closed shall not include the area within 8 feet of the back-of-curb along Battleground Avenue, within 30 feet from centerline of Martinsville Road, nor shall be any containing greenway elements along Martinsville Road.
3. That the property identified as parcel number 0030325 (2700 Martinsville Road) shall be combined with an adjacent parcel so that the resultant lot will have frontage and direct vehicular access to a public street.
4. That the driveway permit for the new Battleground Avenue access point be approved by the North Carolina Department of Transportation and the driveway permit for a new Martinsville Road access point be approved by the Greensboro Department of Transportation before the final plat is recorded.
5. That construction plans for the turning radius at the southeast corner of the Battleground Avenue and Martinsville Road intersection, that either increases it to a 30-foot radius or an equal or better alternative as determined by the Greensboro Department of Transportation be approved before the final plat is recorded.
6. That the street closing shall not become effective until a final plat which combines all portions of the closed street with the abutting properties is signed by all property owners who have an ownership right in the closed street and is recorded in the Guilford County Register of Deeds.

The Planning Board recommended this closing, with the stated conditions, at its June meeting on a vote of 8-0.

Accordingly, it is recommended that on July 18, 2017, the City Council hold a public hearing to receive public comment and to consider adoption of the resolution closing Martinsville Court.