

CITY OF HIGH POINT

AGENDA ITEM



Title: **Street Abandonment 19-01**
(Guilford Technical Community College)

From: Lee Burnette, Planning & Development
Director

Meeting Date: March 18, 2019

Public Hearing: Yes

Advertising Date: February 22, 2019 and
March 1, 8, & 15, 2019

Advertised By: Planning & Development

Attachments: A. Planning and Zoning Commission Recommendation
B. Staff Report
C. Resolution of Abandonment

PURPOSE:

A request by Guilford Technical Community College to abandon that portion of Clay Avenue lying west of S. Centennial Street.

BACKGROUND:

The staff report and the Planning & Zoning Commission's recommendation are enclosed.

BUDGET IMPACT:

There is no budget impact.

RECOMMENDATION / ACTION REQUESTED:

- A. Staff recommended **approval** of this request, as outlined in the attached staff report.
- B. On February 26, 2019, a public hearing was held before the Planning and Zoning Commission regarding Street Abandonment 19-01. The Planning & Zoning Commission recommended **approval** of this request, by a vote of 7-0, as outlined in the staff report and recommended by staff.

PLANNING AND ZONING COMMISSION RECOMMENDATION

Guilford Technical Community College

Street Abandonment 19-01

At its February 26, 2019 public hearing, the Planning and Zoning Commission reviewed Street Abandonment 19-01. All members of the Commission were present except for Mr. John McKenzie and Mr. Mark Walsh. Mr. Herbert Shannon, Senior Planner, presented the case and recommended approval of the request as outlined in the staff report.

Speaking on the request:

Speaking in favor of the request was Mr. Mitchell Johnson, representative for Guilford Technical Community College, 601 East Main Street, Jamestown. Mr. Johnson stated that GTCC has purchased the parcels abutting the Clay Avenue right-of-way as part of a long-term master plan to expand their facilities from S. Hamilton Street to S. Centennial Street. The intent is to improve this area and create a pedestrian network that connects the various parts of the campus to the adjacent community.

Planning & Zoning Commission Action

The Commission recommended *approval* of Street Abandonment 19-01, as recommended by staff, by a vote of 7-0.

**CITY OF HIGH POINT
PLANNING AND DEVELOPMENT DEPARTMENT**

**STAFF REPORT
STREET ABANDONMENT CASE 19-01
February 26, 2019**

Request	
Applicant: Guilford Technical Community College	Proposal: To abandon that portion of the Clay Avenue right-of-way (ROW) lying west of S. Centennial Street.

Adjacent Streets		
Name:	Classification:	Right-of-Way and Pavement Width:
Clay Avenue	Local street	40-foot wide right-of-way; 20-foot wide ribbon paved street

Adjacent Property Zoning and Current Land Use		
North	Light Industrial (LI) District	Undeveloped parcels
East	Light Industrial (LI) District Planned Development Limited (PDL) District	S. Centennial Street ROW
South	Light Industrial (LI) District	Undeveloped parcels
West	Light Industrial (LI) District	Manning Street ROW and High Point- Randleman-Asheboro Southern Railroad ROW

Analysis

Guilford Technical Community College (GTCC) is requesting to abandon that portion of the Clay Avenue ROW lying west of S. Centennial Street. This segment of the Clay Avenue ROW, formerly known as Davis Street, has a width of 40 feet, a length of 355 feet (14,209± square feet) and is partially improved with a 20-foot wide ribbon paved street. It was recorded in 1890 on a map entitled “High Point Development Company “ in Plat Book 53 – Page 561 in the Guilford County Register of Deeds Office.

This street historically served several single family and multifamily dwellings along Clay Avenue. The last of these structures was raised in the mid-2000s and the abutting parcels have been purchased by GTCC. The college proposes to establish a paved walking trail from its campus, along S. Main Street, to the Macedonia Park and residential neighborhoods lying east of S. Centennial Street. Since the abutting parcels are all owned by GTCC, the abandonment of the City’s interest in this ROW will not deprive any owner of access to their property.

The Technical Review Committee (TRC) reviewed this request and identified no concerns related to the abandonment of this ROW. The Public Services Department has identified a City water and sewer line running the length of this ROW and Piedmont Natural Gas has identified a gas line in this ROW. Thus, easements will need to be reserved over these existing utility lines.

Findings & Recommendation

This abandonment of the public's interest and conveyance of the right-of-way to the abutting property owner, as provided by State statutes, is found not to be contrary to the public's interest. This proposed ROW abandonment will not deprive any property owners in the vicinity of this request reasonable means of ingress and egress to their property.

The Planning and Development Department recommends approval of the requested street abandonment with the retention of the following easements:

- A 20-foot wide sanitary sewer easement centered over all existing sewer lines within and crossing the Clay Avenue right-of-way;
- A 20-foot wide water easement centered over all existing water lines within and crossing the Clay Avenue right-of-way; and
- A 20-foot wide Piedmont Natural Gas easement centered over all existing gas lines within and crossing the Clay Avenue right-of-way.

Report Preparation

This report was prepared by Planning and Development Department staff member Herbert Shannon Jr. AICP, Senior Planner, and reviewed by Robert Robbins AICP, Development Services Administrator and Lee Burnette AICP, Director.

Attachments: Photographs (February 2019) and Aerial (February 2018)
Looking westward, from S. Centennial Street, along the Clay Avenue ROW.



Looking eastward along Clay Avenue, from Railroad ROW to S. Centennial Street



Looking westward, from end of Clay Avenue ROW to GTCC Campus

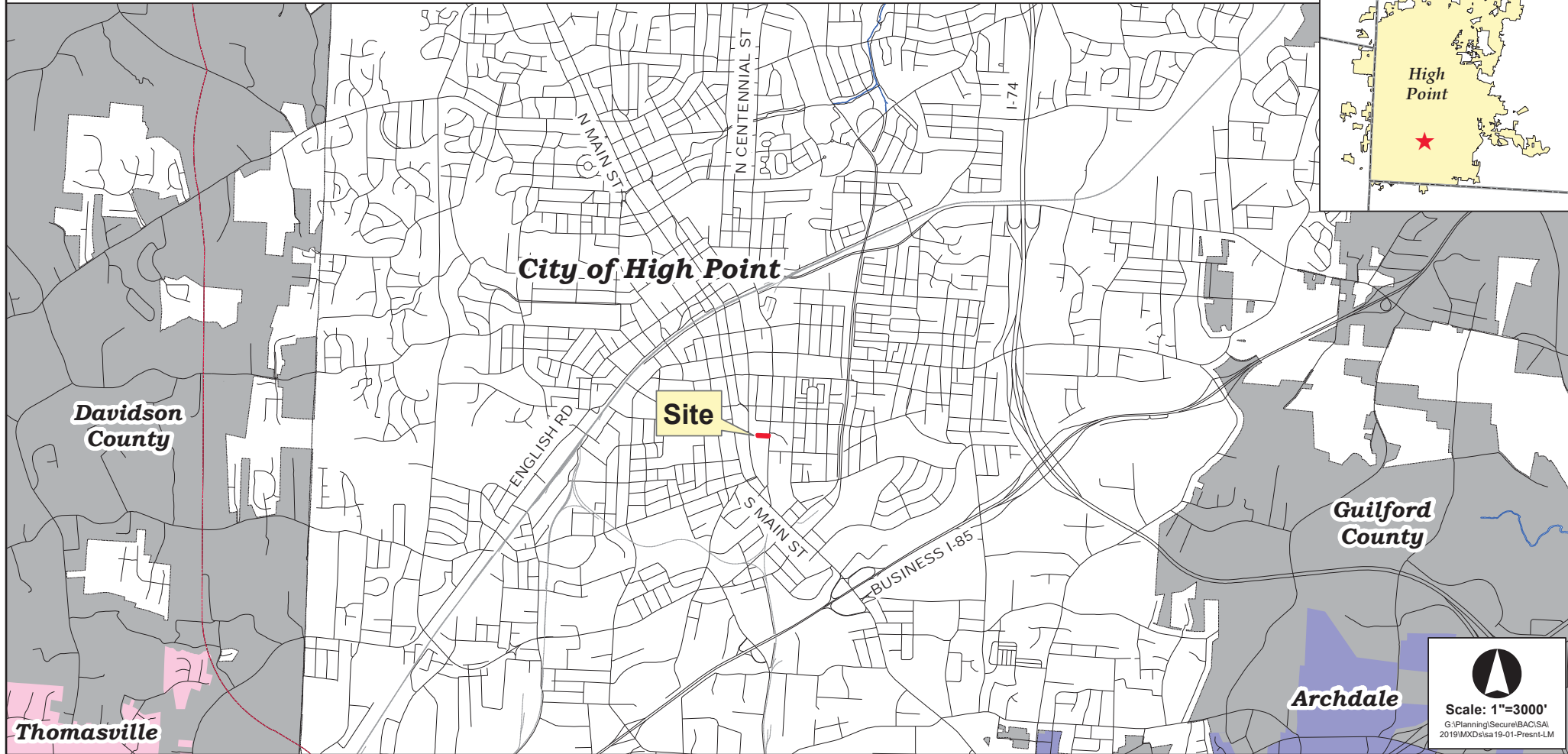
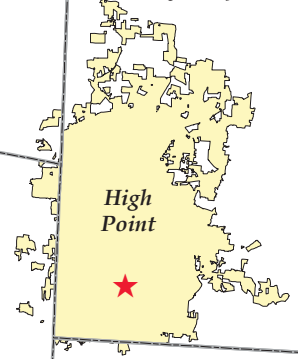


LOCATION MAP

STREET ABANDONMENT SA-19-01

Applicant: Guilford Technical Community College

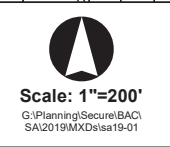
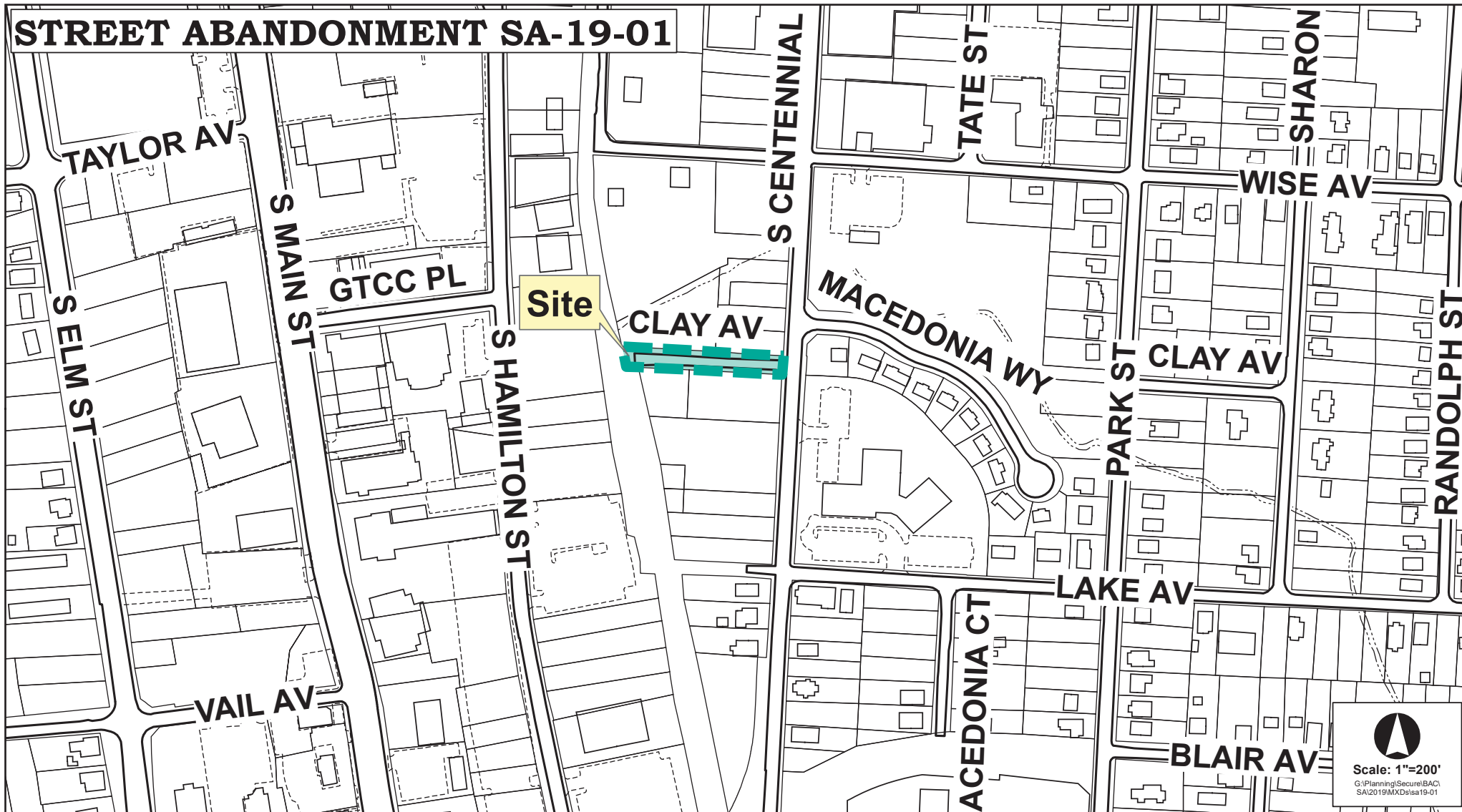
Vicinity Map



Scale: 1"=3000'

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STREET ABANDONMENT SA-19-01



Return to: Joanne Carlyle, City Attorney
City of High Point
P.O. Box 230
High Point, NC 27261
Resolution No. xxxx / xx-xx

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF HIGH POINT, IN A REGULAR MEETING ASSEMBLED ON THE 18th DAY OF MARCH, 2019, AT 5:30 P.M. IN THE COUNCIL CHAMBERS OF THE MUNICIPAL BUILDING, HIGH POINT, NORTH CAROLINA:

Street Abandonment (Closure) Case 19-01

(abandon all the Clay Avenue right-of-way lying west of S. Centennial Street)

WHEREAS, Guilford Technical Community College has petitioned the City Council of the City of High Point to permanently abandon (close) all of the Clay Avenue right-of-way lying west of S. Centennial Street. Clay Avenue is a 40-foot wide improved public street lying along the west side S. Centennial Street, approximately 85 feet south of Macedonia Way. This right-of-way, formerly known as Davis Street, was recorded in Plat Book 53 – Page 561 of the Guilford County Register of Deeds Office and is more specifically described as follows.

BEGINNING AT AN EXISTING 3/8" INCH IRON PIPE AT THE NORTHWEST INTERSECTION OF CLAY STREET AND S. CENTENNIAL STREET ALSO BEING THE SOUTHEAST CORNER OF THE TRUSTEES OF GUILFORD COLLEGE TECHNICAL COMMUNITY COLLEGE AS DESCRIBED IN DEED BOOK 7912 PAGE 1170, THENCE CROSSING THE EASTERN 40 FOOT WIDE RIGHT OF WAY AT IT'S EASTERN TERMINOUS AND ALONG THE WESTERN 50 FOOT WIDE RIGHT OF WAY FOR S. CENTENNIAL STREET S 03 DEG. 21 MIN. 03 SEC. W

DISTANCE BEING 40.00 FEET TO AN EXISTING 3/4 INCH IRON PIPE AT THE SOUTHWEST CORNER OF CLAY STREET AND S. CENTENNIAL STREET, THENCE WITH THE SOUTHERN 40 FOOT WIDE RIGHT OF WAY FOR CLAY STREET AS SHOWN RECORDED ON PLAT AS FOUND RECORDED IN DEED BOOK 53 PAGE 561 AND THE NORTHERN LINE OF GTCC FOUNDATION PROPERTIES, LLC AS RECORDED IN DEED BOOK 7690 PAGE 0343 N 86 DEG. 42 MIN. 44 SEC. W DISTANCE BEING 195.81 FEET TO AN EXISTING 3/4 INCH IRON PIPE, THENCE WITH THE SAID SOUTHERN 40 FOOT WIDE RIGHT OF WAY FOR SAID CLAY STREET AND THE NORTHERN LINE OF GTCC FOUNDATION PROPERTIES, LLC AS RECORDED IN DEED BOOK 7690 PAGE 0343 N 86 DEG. 42 MIN. 44 SEC. W DISTANCE BEING 108.38 FEET TO AN EXISTING 3/4 INCH IRON PIPE ON THE EASTERN VARIABLE RIGHT OF WAY FOR MANNING STREET (AN UNBUILT STREET), THENCE CROSSING SAID RIGHT OF WAY FOR MANNING STREET N 86 DEG. 42 MIN. 44 SEC. W DISTANCE BEING 40.56 FEET TO A COMPUTED POINT ON THE VARIABLE WESTERN RIGHT OF WAY FOR MANNING STREET (AN UNBUILT STREET), ALSO BEING ON THE EASTERN 25 FOOT (FROM CENTER) RIGHT OF WAY FOR HIGH POINT, RANDLEMAN, ASHEBORO, SOUTHERN RAILROAD AS DESCRIBED IN DEED BOOK 79 PAGE 33, THENCE WITH THE EASTERN 25 FOOT WIDE (FROM CENTER) RIGHT OF WAY FOR THE AFORESAID HIGH POINT, RANDLEMAN, ASHEBORO, SOUTHERN RAILROAD AS DESCRIBED IN DEED BOOK 79 PAGE 33 N 11 DEG. 20 MIN. 54 SEC. W DISTANCE BEING 41.34 FEET TO A NEW IRON PIPE, THENCE CROSSING THE VARIABLE RIGHT OF WAY FOR MANNING STREET (AN UNBUILT STREET) AND THE SOUTHERN LINE OF TRUSTEES OF GUILFORD COLLEGE TECHNICAL COMMUNITY COLLEGE AS DESCRIBED IN DEED BOOK 7955 PAGE 2832 S 86 DEG. 42 MIN. 44 SEC. E DISTANCE BEING 39.71 FEET TO A NEW IRON PIPE, SAID NEW IRON PIPE BEING THE SOUTHWEST CORNER OF LOT 16 AS SHOWN RECORDED IN DEED BOOK 53 PAGE 561, THENCE CONTINUING WITH THE SOUTHERN LINE OF TRUSTEES OF GUILFORD COLLEGE TECHNICAL COMMUNITY COLLEGE AS DESCRIBED IN DEED BOOK 7955 PAGE 2832 S 86 DEG. 42 MIN. 44 SEC. E DISTANCE BEING 170.51 FEET TO AN EXISTING 3/8 INCH IRON PIPE, THENCE CONTINUING WITH THE NORTHERN 40 FOOT WIDE RIGHT OF WAY FOR CLAY STREET AND THE SOUTHERN LINE OF TRUSTEES OF GUILFORD COLLEGE TECHNICAL COMMUNITY COLLEGE AS DESCRIBED IN DEED BOOK 7912 PAGE 1170 S 86 DEG. 42 MIN. 44 SEC. E DISTANCE BEING 145.02 FEET **TO THE POINT AND PLACE OF BEGINNING** CONTAINING 13,999 SQUARE FEET OR 0.321 ACRES MORE OR LESS.

WHEREAS, the petition has been duly filed with this Council in a Regular meeting assembled on the 18th day of February, 2019, at 5:30 p.m. setting the 18th day of March, 2019 at 5:30 p.m., in the Council Chambers of the Municipal Building, as the time and place for a public hearing before said Council on

said petition, and public notice of said time and place was ordered given, all pursuant to North Carolina G.S. 160A-299; and

WHEREAS, due and proper notice of said hearing to be heard on the petition at this meeting of City Council was made by publication in the High Point Enterprise for four (4) consecutive weeks, beginning February 22, 2019 and March 1, 8 & 15, 2019; and,

WHEREAS, the above entitled matter, pursuant to said resolution and notice was called for hearing before said Council at which time there was no objection or opposition offered on the part of any firm or corporation to abandon (closure) of the above described portion of Clay Avenue; and

WHEREAS, it appearing to the satisfaction of this Council and the Council finds as a fact that the said right-of-way as herein described is not necessary for ingress and egress to any land adjoining said street; that the closing of said street is not contrary to the public interest and that no other individual, firm or corporation owning property in the vicinity of said street, or in the subdivision in which said street is located, will be deprived of reasonable means of ingress or egress to this property.

NOW THEREFORE BE IT RESOLVED:

1. That all of the Clay Avenue right-of-way, as described above, be closed pursuant to North Carolina G.S. 160A-299;
2. That the City of High Point shall retain a 20-foot wide water easement centered over all existing water lines within and crossing the Clay Avenue right-of-way;
3. That the City of High Point shall retain a 20-foot wide sanitary sewer easement centered over all existing sewer lines within and crossing the Clay Avenue right-of-way;
4. That the City of High Point shall retain 20-foot wide Piedmont Natural Gas easement centered over all existing gas lines within and crossing the Clay Avenue right-of-way; and
5. That a copy of this resolution be filed in the Office of the Register of Deeds for Guilford County, North Carolina.

By order of the City Council,
this the 18th day of March, 2019
Lisa B. Vierling, City Clerk