

**PLANNING AND ZONING COMMISSION
STAFF REPORT**

May 2, 2013

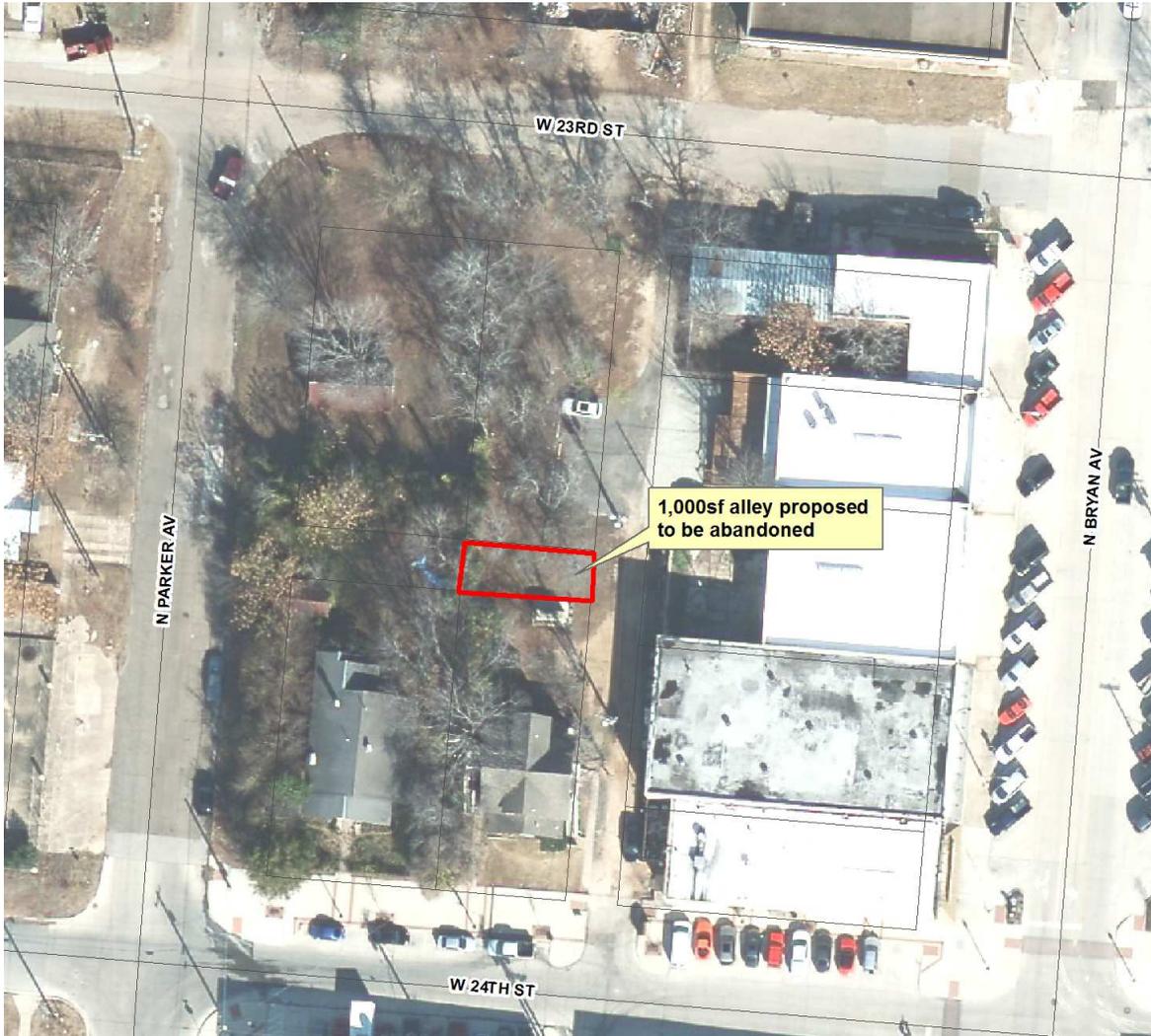


Right-of-way Abandonment case no. RA13-03: Block 121 of Bryan Original Townsite

LOCATION: a request to abandon a 20-foot wide and 50-foot long portion of public alley right-of-way located south of property at 210 West 23rd Street and extending west from a public alley right-of-way that extends north-to-south in Block 121 of Bryan Original Townsite between West 23rd and West 24th Streets

APPLICANT(S): John Patterson

STAFF CONTACT: Maggie Dalton, Staff Planner



BACKGROUND AND ANALYSIS:

This 20-foot wide and 50-foot long portion of public alley right-of-way in Block 121 of the Bryan Original Townsite was originally platted in 1898 and has never been improved. Mr. John Patterson own land adjoining both sides of the subject right-of-way. The right-of way has never been improved with a driving surface and has been functionally integrated with the adjoining parcels.

Mr. Patterson is requesting that the City officially abandons this right-of-way portion to integrate this land with his ownership of adjoining land. There are currently no public or private utility services located within this alley segment. Mr. Patterson has submitted a replat showing these 1000 square feet to be combined with 50 feet of Lot 6 that he owns and that adjoin the alley to the north. That replat request is also scheduled for consideration by the Planning and Zoning Commission during its meeting on May 2, 2013 (case no. RP13-08).

RECOMMENDATION:

Acting on behalf of the general public, only Bryan's City Council is authorized to officially abandon all or portions of rights of way dedicated for public use. The Planning and Zoning Commission hears and makes a recommendation on proposals to abandon any such rights-of-way.

The Site Development Review Committee and staff recommend **approving** the request to abandon the portion of this public alley right-of-way, as requested. Excess right-of-way burdens the public with possible continued maintenance, liability concerns, and is an inefficient use of urban land. The right-of-way requested to be abandoned has been functionally integrated with adjacent properties. Abandoning the subject right-of-way, as recommended, will allow this land to be formally integrated with adjacent land. Staff contends that the recommended rearrangement of land will have the most likely long-range public benefit.