

**PLANNING AND ZONING COMMISSION
STAFF REPORT**

March 21, 2013



Right-of-way Abandonment case no. RA13-02: Woodlawn Addition – Block 4

LOCATION: a request to abandon an approximately 0.06 acre section of public street right-of-way extending along properties at 1800 Beck Street adjacent to Lots 1-3 and part of Lot 4 in Block 4 of Woodlawn Addition

APPLICANT(S): Manuel Lopez

STAFF CONTACT: Maggie Dalton, Staff Planner



BACKGROUND AND ANALYSIS:

The Right-of-Way adjacent to the of property at 1800 Beck Street was originally obtained by a Fee Simple Deed in order to make improvements to Beck Street and the existing infrastructure. The current adjoining property owner/applicant, Mr. Manuel Lopez, wishes to have a portion of the street right-of-way officially abandoned in order ensure minimum lot requirements are met for future development of his property. Related to this right-of-way abandonment are Replat case RP13-02 and Conditional Use Permit CU13-01.

During the Site Development Review Committee's review of this request, the Public Works Department identified an existing public water line located near the proposed abandonment. If this right-of-way were abandoned, then an easement over existing public utility facilities will need to be reserved. Such an easement will help ensure access for repairing and replacing public utilities and help prevent buildings which interfere with access to these utilities.

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.

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 improved with a street improvements and infrastructure, and the remainder has been functionally integrated with adjacent land. Formally abandoning the subject right-of-way, therefore, will not interfere with the smooth circulation of vehicular and pedestrian traffic.

The Site Development Review Committee and staff recommend **approving** the request to abandon the portion of this public alley right-of-way, as requested, **subject to the following condition:**

- **that a 10' public utility easement be reserved for the length of the abandoned street right-of-way to accommodate existing public utility facilities.**

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.