

**PLANNING AND ZONING COMMISSION  
STAFF REPORT**

**April 7, 2016**

**Right-of-way Abandonment case no. RA16-01:  
26-foot wide unnamed Right-of-way in Martin's Addition**

**SIZE AND LOCATION:** a 26-foot wide, unnamed and undeveloped public right-of-way in the Martin's Addition, being approximately 0.196 acres (8,537 square feet) in size and extending northeast from the east side of South College Avenue, approximately 325 feet south of its intersection with Sulphur Springs Road

**APPLICANT(S):** JC Wall

**STAFF CONTACT:** Matthew Hilgemeier, AICP, Staff Planner

**SUMMARY RECOMMENDATION:** Staff recommends **approving** the requested right-of-way abandonment, **subject to conditions** (see page 3).



## **RIGHT-OF-WAY REQUESTED TO BE ABANDONED:**

The applicant, Mr. JC Wall, is requesting the official abandonment of a 328-foot long by 26-foot wide unnamed and undeveloped public right-of-way in the Martin's Addition. The right-of-way in question was originally dedicated with the Martin's Addition plat that was recorded at the Brazos County Court House in 1941. It is assumed that at that time, this right-of-way was dedicated to the City of Bryan with the understanding that when the adjacent properties to the south were platted, additional right-of-way would be dedicated so that a new public street would be created. The neighboring property was never formally platted and, therefore, additional right-of-way was never granted. In 1954, the Smith Subdivision was platted to the northeast of this strip of land, creating residential lots fronting Sandra Drive. This made the need for another public street at this location obsolete.

Mr. Wall, who owns the adjacent property to the north wishes to develop that adjoining tract and is requesting that unnamed public right-of-way be formally abandoned so that this land may be integrate with his ownership of adjoining land.

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.

## **RECOMMENDATION:**

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

- 1. that a formal replat encompassing all property which the applicant owns or will own after abandonment of this right-of-way is filed with the City for recording; and**
- 2. that a 25-ft wide private shared access easement be dedicated with the replat covering the portion of right-of-way being abandoned to allow access to the neighboring property.**

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 never been improved with a driving surface and is proposed to be functionally integrated with adjacent land and made available for development. Abandoning the subject right-of-way, will not interfere with the smooth circulation of vehicular and pedestrian traffic.

Abandoning the subject right-of-way, as recommended, will allow this land to be integrated with adjacent land and, therefore allow efficient and orderly urban development. Staff contends that the recommended rearrangement of land will have the most likely long-range public benefit.