

May 19, 2016

**Right-of-way Abandonment case no. RA16-04:
Portions of East Pruitt Street and North Washington Avenue**

SIZE AND LOCATION: approximately 0.064 acres (2,775 square feet) of public street rights-of-way for East Pruitt Street and North Washington Avenue, adjoining the south west corner of Block 32 in the Bryan Original Townsite

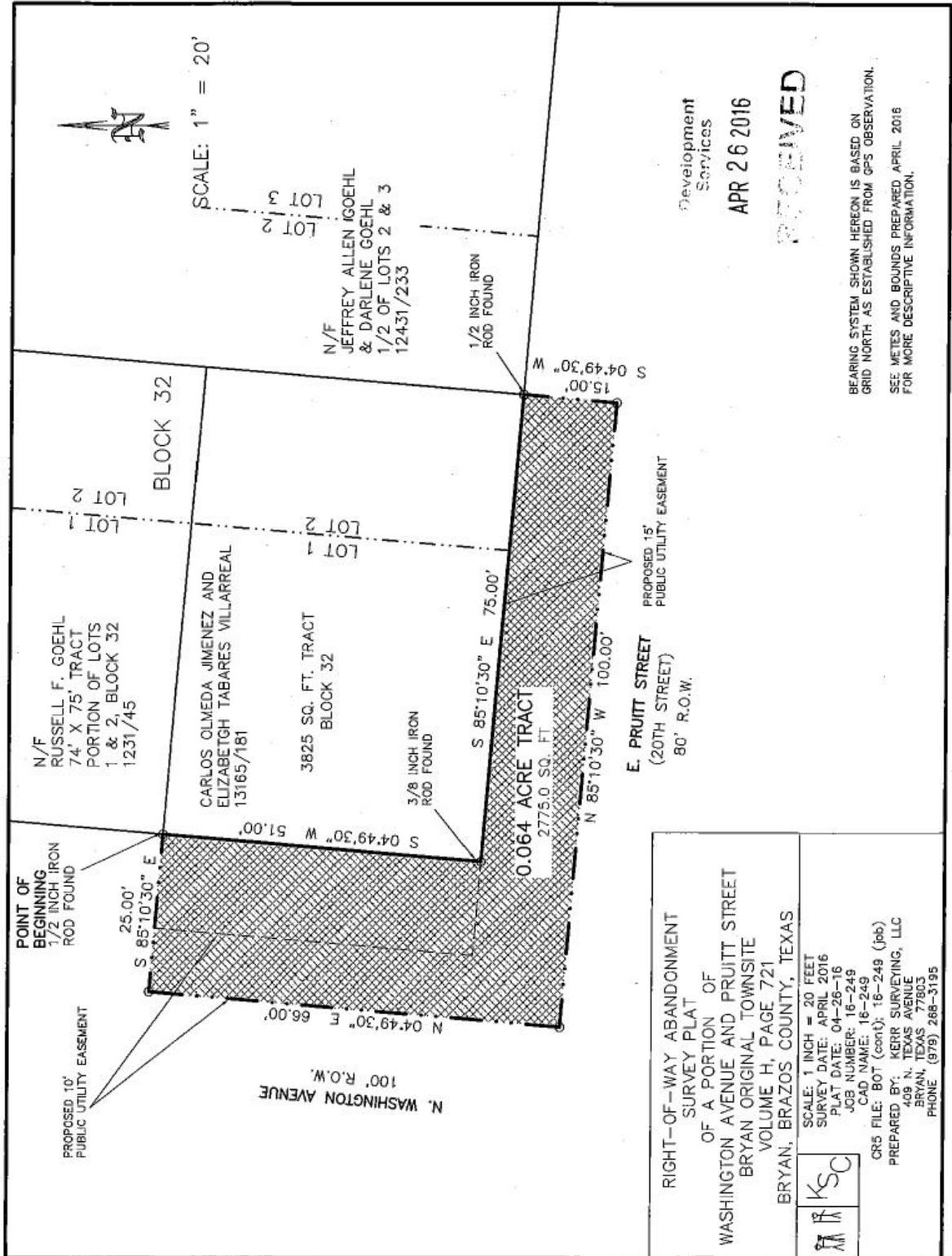
APPLICANT(S): Carlos Olmedo Jimenez Toro

STAFF CONTACT: Matthew Hilgemeier, AICP, Staff Planner

SUMMARY RECOMMENDATION: Staff recommends **approving** the requested right-of-way abandonment, **subject to certain conditions.**



RIGHT-OF-WAY REQUESTED TO BE ABANDONED:



RIGHT-OF-WAY ABANDONMENT SURVEY PLAT
OF A PORTION OF
WASHINGTON AVENUE AND PRUITT STREET
BRYAN ORIGINAL TOWNSITE
VOLUME H, PAGE 721
BRYAN, BRAZOS COUNTY, TEXAS

SCALE: 1 INCH = 20 FEET
SURVEY DATE: APRIL 2016
PLAT DATE: 04-26-16
JOB NUMBER: 16-249
CAD NAME: 16-249
CRS FILE: BOT (cont); 16-249 (job)
PREPARED BY: KERR SURVEYING, LLC
409 N. TEXAS AVENUE
BRYAN, TEXAS 77803
PHONE (979) 288-3195

BACKGROUND:

The applicant, Mr. Carlos Toro, is requesting the official abandonment of 100-foot long and 15-foot wide portion of public street right-of-way for East Pruitt Street as well as a 66-foot long and 25-foot wide segment of public street right-of-way for North Washington Avenue, adjoining the south west sides of Lots 1 and portion of Lot 2 in Block 32 of the Bryan Original Townsite. The request is being made to formally integrate this tract with his ownership of the adjoining lots. The rights-of-way requested to be abandoned total 0.064 acres (2,775 square feet) in area and have never been improved as part of the adjoining roadways since originally being laid out as part of the town of Bryan in 1860.

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.

ANALYSIS AND RECOMMENDATION:

Excess right-of-way burdens the public with possible continued maintenance, liability concerns, and is an inefficient use of urban land. The rights-of-way requested to be abandoned will be functionally integrated with adjacent land and made available for development. Abandoning the subject rights-of-way will not interfere with the smooth circulation of vehicular traffic.

During the Site Development Review Committee's review of this request, the Public Works Department identified that there are two 2-inch public water lines and a 6-inch public sewer line currently located in the portion of East Pruitt Street that has been requested to be abandoned. 6-inch sewer and water lines are located in the portion of North Washington Avenue that has been requested to be abandoned. If these rights-of-way were abandoned, then easements over existing public utility facilities will need to be reserved. Such easements will help ensure access for repairing and replacing public utilities and help prevent buildings which interfere with access to these utilities.

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

- 1. that that a formal replat encompassing all property which the applicant owns or will own after abandonment of these right-of-way portions is filed with the City for recording; and**
- 2. that a 15-foot wide public utility easement be retained over the abandoned portion of East Pruitt Street to accommodate existing public utility facilities; and**
- 3. that a 10-foot wide public utility easement be retained over the abandoned portion of North Washington Avenue to accommodate existing public utility facilities.**

Abandoning the subject rights-of-way, as recommended, will allow this land to be integrated with adjacent land. Staff contends that the recommended rearrangement of land will have the most likely long-range public benefit.