

**PLANNING AND ZONING COMMISSION
STAFF REPORT**



September 1, 2016

Easement Release case no. 16-02: Block 1 - Austin's Colony Subdivision – Phase 12A

CASE DESCRIPTION: a request to release two segments of a 15-foot wide public utility easement that extends generally northeast from Thornberry Drive, northwest from its intersection with Ambrose Court,

SIZE AND LOCATION: 15-foot wide public utility easement that extends along the rear (north) property lines of Lots 1 – 2 and 4- 5 in Block 1 of Austin's Colony Subdivision - Phase 12A, being two segments of 0.045 acres and 0.079 acres in size, respectively

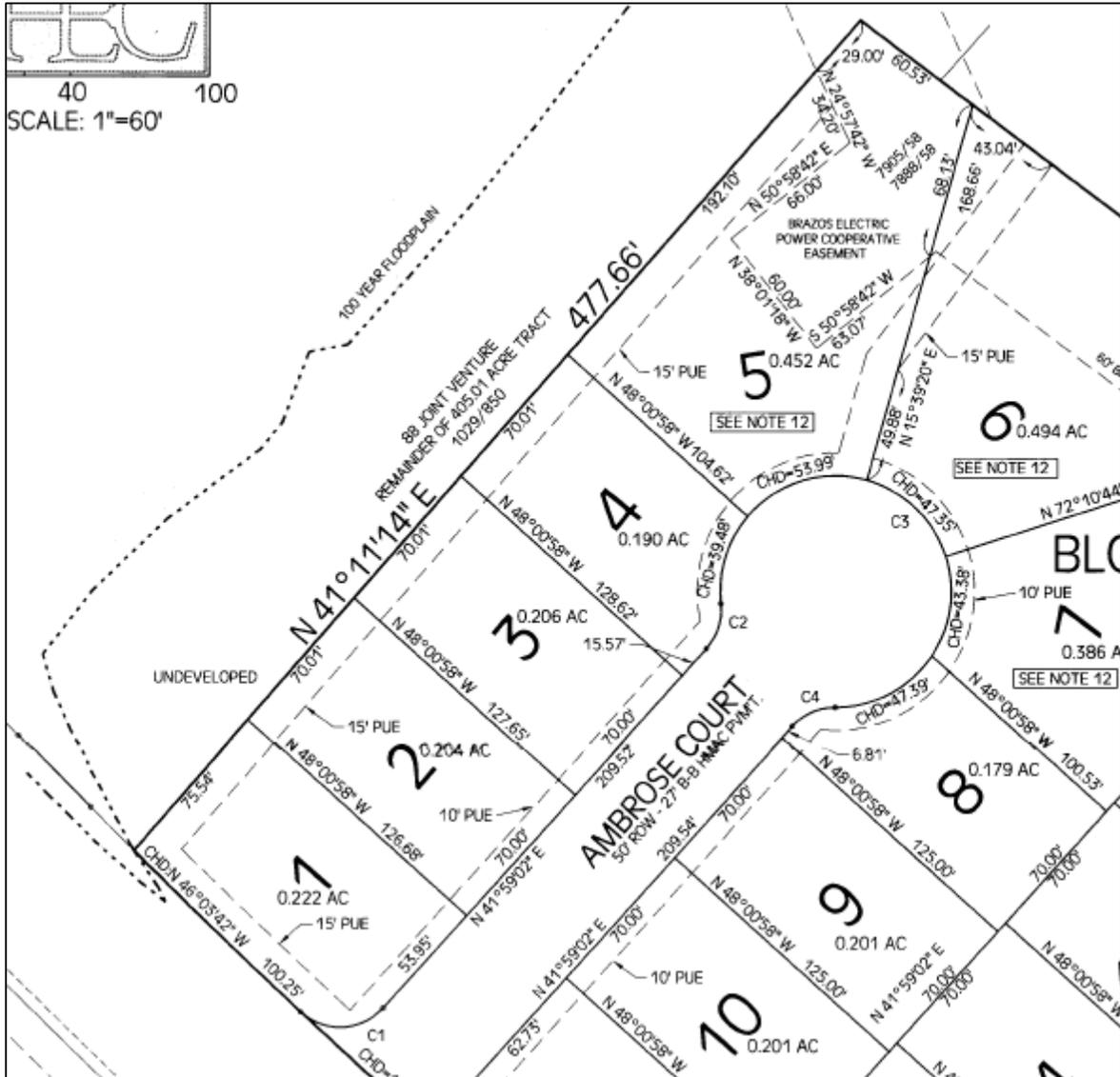
APPLICANT(S): Rose Yawn – Lot 1; Brian Berg – Lot 2; Michael LaPaglia – Lot 4; and Walton Cavitt – Lot 5

STAFF CONTACT: Martin Zimmermann, AICP, Planning Manager

SUMMARY RECOMMENDATION: Staff recommends **approving** the release of these two public utility easement segments, as requested.



EXCERPT FROM FINAL PLAT OF AUSTIN'S COLONY- PHASE 12A (RECORDED ON FEBRUARY 12, 2012):



BACKGROUND:

With the recording of the Final Plat of Austin's Colony - Phase 12A, a 15-foot wide public utility easement (PUE) was created that extends along the rear (northwest) property line of Lots 1 through 5 in Block 1 of this subdivision. All five lots front Ambrose Court, northeast from its intersection with Thornberry Drive.

No public or franchised utility facilities are currently located within this easement. The owners of 4 of these 5 lots across which this easement extends have petitioned the City of Bryan to release said easement. No buildings or structures may currently be built within the easement area. Release of the easement would allow the installation of additional buildings and structures in the approximately 5,400

square feet of land now encompassed by easement area, subject to adopted minimum building setback standards. The owner of Lot 3 in Block 1 was originally part of but later rescinded his participation in the petition. Therefore, that portion of this 15-foot wide PUE which extends across Lot 3 is not part of this request.

ANALYSIS AND RECOMMENDATION:

Bryan's City Council can authorize the release of easements intended for public use. The Planning and Zoning Commission is asked to make a recommendation to the City Council regarding all easement release requests.

The request was reviewed by the City's Site Development Review Committee on July 26, 2016. No public utilities are currently located in the easement area. None of the franchised utility services has indicated a need or desire for possible future use of the easement under consideration.

The Site Development Review Committee and staff recommend **approving** the release of these two segments of this public utility easement, as requested. City staff does not foresee a need for possible future use of this easement portion for any public purposes.