ACTION FORM
BRYAN CITY COUNCIL

Meeting Date (?) 01/12/2016

Subject Matter* (?) Right-of-way Abandonment RA15-04 (BCD): 0.275 Acres of Street ROW for East 21st Street Adjoining Blo
This must match rolling agenda entry

Department of Origin* DEVELOPMENT SERVICES

Submitted By* Martin Zimmermann

Type of Meeting* ○ BCD ○ Special ◉ Regular

Classification* ○ Public Hearing ◉ Consent ○ Statutory ○ Regular

Ordinance* ○ None ○ First Read ◉ Second Read ○ First & Only Read

Strategic Initiative* ☐ Public Safety ☐ Service ☑ Economic Development ☑ Infrastructure ☐ Quality of Life

Agenda Item Description* A request to abandon approximately 0.275 acres (12,000 square feet) of public street right-of-way for East 21st Street adjoining the north and south sides, respectively, of Blocks 264 and 265 in the Bryan Original Townsite, east of the intersection of East 21st Street and North Main Street in Bryan, Brazos County, Texas Brazos County, Texas. (RA15-04)

Summary Statement* The applicants, Bryan Commerce & Development (BCD), are requesting the official abandonment of a portion of public street right-of-way for East 21st Street adjoining the north and south sides, respectively, of Blocks 264 and 265 in the Bryan Original Townsite, east of the intersection of East 21st Street and North Main Street. It is the intent of BCD to formally integrate the subject tract with the ownership and redevelopment of the adjoining blocks.

The right-of-way requested to be abandoned is 0.275 acres in area, and, until 2004, was improved with a driving surface and in public use. In October 2004, at the request of the Texas Department of Transportation and the Union Pacific Railroad, citing safety concerns, the Bryan City Council approved an ordinance permanently closing the East 21st Street crossing of the Union Pacific Railroad tracks.

In 2008, BCD began assembling real estate in the north end of downtown for the purpose of facilitating the redevelopment of the area. It was at this time the property abutting the north and south sides of the subject tract were acquired. Due to the lack of a vehicle crossing at the location, renovation of the driving surface on the subject tract was deleted from the third phase of the downtown infrastructure replacement project completed in 2011.

In order to facilitate redevelopment of the property to the north and south of the subject tract, Blocks 264 and 265 in the Bryan Original Townsite, a replat request has been filed to consolidate these downtown blocks, along with this portion of East 21st Street right-of-way, into one lot. The replat request, case no. RP15-35, was unanimously approved by the Planning and Zoning Commission during its December 3, 2015 regular meeting.

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.

Staff Analysis & Recommendation *

During its regular meeting on December 3, 2015, the Planning and Zoning Commission concurred with staff and unanimously recommends approving the requested right-of-way abandonment, subject to the condition a formal replat encompassing all property the applicants own or will own after abandonment of this right-of-way is filed with the City for recording.

• Excess right-of-way burdens the public with possible continued maintenance, liability concerns, and is an inefficient use of urban land. Abandoning the subject right-of-way, as recommended, will allow this land to be integrated with adjacent land, and therefore, allow more efficient and orderly urban development.

• Abandoning the subject right-of-way will not interfere with the smooth circulation of vehicular traffic.

• The right-of-way requested to be abandoned will be functionally integrated with adjacent land and made available for development.

• The recommended rearrangement of land is expected to have the most likely long-range public benefit.

• One potential negative impact of the requested abandonment could be the creation of a very long block length in the downtown area. Most of the blocks in downtown are 250 feet long. If the abandonment is approved, once the property is replatted, the resulting block length will be 580 feet.

Options *

(In Suggested Order of Staff Preference)

1. Approve the proposed ordinance abandoning the right-of-way, as requested;

2. Approve the proposed ordinance abandoning the right-of-way with amendment, which may require consideration at a future City Council meeting; or

3. Do not approve the ordinance and deny the requested right-of-way abandonment.

Funding Source *

N/A

Attachments

RA15-04_Attachments.docx 2.75MB

Please detail attachments and note attachments available for viewing in City Secretary's Office:

1. In a single attachment file are a location map; the proposed ordinance; an excerpt from the P&Z meeting of December 3, 2015; and, a staff report for the P&Z meeting

Dept. Head Signature

Kevin Russell

Deputy City Manager Signature

City Manager Signature

City Attorney Signature

Janis K Hampton