CITY OF BRYAN
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ACTION FORM
BRYAN CITY COUNCIL

Meeting Date (?) 08/16/2016

Subject Matter* (?) Right-of-way abandonment RA16-05 (Jimmy Ford): parts of Rabbit Lane north of Tabor Road
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 ☑ Economic Development ☐ Quality of Life ☐ Service ☑ Infrastructure

Agenda Item Description* A request to abandon approximately 0.244 acres (12,000 square feet) of public street right-of-way for Rabbit Lane, specifically along the northeast and southeast sides of Rabbit Lane adjacent to Block 1 of the Trail's End Subdivision, located generally north from the intersection of Rabbit Lane and Nancy Street in Bryan, Brazos County, Texas (Case No. RA16-05).

Summary Statement *

On October 15, 2015, the Planning and Zoning Commission approved the Final Plat of the Trail's End Subdivision, which created 3 lots intended for single-family residential use on 1.041 acres of vacant land, and dedicated 0.244 acres (12,000 square feet) of additional public street right-of-way for Rabbit Lane.

The City's Thoroughfare Plan indicates the need for a minor arterial roadway extending generally northwest from Austin's Colony Parkway, passing along the rights-of-way of Clark's Lane and Rabbit Lane. Rabbit Lane continues northwest from FM974 to the Old San Antonio Road (OSR) for a distance of approximately 5.7 miles. Along most of its length, Rabbit Lane has 50 feet of right-of-way. According to the Unified B/CS Design Guidelines, minor arterial streets should have at least 100 feet of right-of-way. With the final plat, the developer dedicated half the increment necessary (25 feet) to make Rabbit Lane a 100-foot wide right-of-way along the length adjacent to the subject property.

Subsequent to the right-of-way dedication with the approval and recording of the final plat, during preliminary discussions regarding amendment to the existing Thoroughfare Plan, it was decided that a different route in the immediate vicinity of the subject property would probably be a more efficient use of land and public resources. Rather than following the existing right-of-way of Rabbit Lane, the recently dedicated right-of-way may be better utilized for private purposes. The applicant, Jimmy D. Ford, is requesting the official abandonment of the same portion of public road right-of-way for Rabbit Lane that was dedicated by the final plat approved in October 2015. It is the intent of the applicant to formally re-integrate the subject tract with his ownership of the adjoining land. The right-of-way requested to be abandoned is 0.244 acres in area, and since dedicated upon recording of the final plat on December 15, 2015, has not been improved with a driving surface nor is it in public use.

Mr. Ford also has submitted a replat request to consolidate the land requested to be abandoned into Lots 1, 2 and 3 of the Trail's End Subdivision. That replat request, Case No. RP16-15 was conditionally approved by the Planning and Zoning Commission during its meeting on July 21, 2016. Final approval of that replat is contingent upon approval by the City Council of this right-of-way abandonment request.

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 July 7, 2016, the Planning and Zoning Commission, by a unanimous vote, concurred with staff and recommended approving the requested right-of-way abandonment, subject to the condition that a formal replat encompassing all property which the applicant owns or will own after abandonment of these rights-of-way is filed with the City for recording.

• The right-of-way requested to be abandoned have never been improved with a driving surface.

• Abandoning the subject right-of-way will not interfere with the smooth circulation of vehicular and pedestrian traffic or otherwise negatively affect the adjoining transportation network.

• 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.

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

Options *

(In Suggested Order of Staff Preference)

1. approve the requested right-of-way abandonment;

2. approve the requested right-of-way abandonment with modifications, which may require consideration at a future City Council meeting; or

3. deny the requested right-of-way abandonment.

Funding Source *

N/A

Attachments

ATTACHMENTS CAF RA16-05, Rabbit Lane.docx	2.85MB

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

Note: all attachments are in a single file

1. location map;
2. draft ordinance and exhibits;
3. excerpt from Planning and Zoning Commission meeting minutes of July 7, 2016; and
4. staff report to the Planning and Zoning Commission.

Dept. Head Signature	Kevin Russell
Deputy City Manager Signature	Hugh R. Walker
City Manager Signature	
City Attorney Signature	Janis K Hampton