

Meeting Date (?) 09/27/2016

Subject Matter* (?) Easement Release ER16-02 (Austin's Colony – Phase 12A): release a 15-foot wide PUE on lots facing
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* Consideration of a resolution authorizing the release of two (2) segments, 0.045 acres and 0.079 acres in size, respectively, of a 15-foot wide public utility easement that extends generally northeast from Thornberry Drive, northwest from its intersection with Ambrose Court along the rear (north) property lines of Lots 1 – 2 and 4 – 5 in Block 1 of Austin's Colony Subdivision - Phase 12A in Bryan, Brazos County, Texas (case no. ER16-02).

Summary Statement*
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 (north) property line of Lots 1 through 5 in Block 1 of this subdivision. All five (5) 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 four (4) of these five (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 will 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 The owner of Lot 3 in Block 1 was originally part of the petition, but later rescinded his participation in the petition.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.

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.

Staff Analysis & Recommendation*
During its meeting on September 1, 2016, the Planning and Zoning Commission concurred with staff and unanimously recommended approving this request to release a portion of this public utility easement.
• 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.
• City staff does not foresee a need for possible future use of this easement portion for any public purposes.
• Releasing the easement portions will allow for development of private property previously encumbered by said easement.

Options* (In Suggested Order of Staff Preference)
1. approve

2. deny requested easement release

Funding Source* N/A

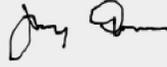
Attachments ATTACHMENTS CAF ER16-02, Austin's Colony 12A.docx 3.88MB

Please detail attachments and note attachments available for viewing in City Secretary's Office:
1. location map
2. proposed resolution and exhibit
3. excerpt from P&Z meeting minutes of September 1, 2016
4. staff report to the Planning & Zoning Commission

Dept. Head Signature

Kevin Russell

Deputy City Manager
Signature



City Manager Signature



City Attorney Signature

Janis K. Hampton