
City Council Regular Meeting

DEPARTMENT: Public Works

FROM: Errick Thompson, P.E., Deputy Public Works Director

MEETING: September 18, 2023

SUBJECT:

Hold a public hearing and consider approval of an ordinance abandoning the public alley in Block 33, Original Town of Burleson, according to the plat recorded in Volume 59, Page 638, Deed Records, Johnson County, Texas, authorizing the City Manager to execute a Deed Without Warranty to the adjacent landowners. (First and Final Reading) (*Staff Presenter: Errick Thompson, Deputy Public Works Director*)

SUMMARY:

Paul Jenkins with Rhythm Ventures, LLC has submitted an application for abandonment of the public alley located with Block 33 of the Original Town of Burleson plat located south of E. Ellison Street and west of S. Dobson Street. A 20-foot-wide alley currently exists from E. Bufford Street to E. Eldred Street to the south. In addition, a 20-foot wide alley extends approximately 115 feet to the west from S. Dobson Street. The alleys are unimproved right-of-way and currently maintained by the adjacent property owners.

The City Council approved a Single Family Attached (SFA) Zoning request on September 20, 2022, at 200 S. Dobson Street. Rhythm Ventures LLC intends to construct residential structures under this approved zoning with access to the structures from the public alley via E. Bufford Street adjacent to the property to be developed. Staff reviewed the proposed development plan and proposed abandonment of the alley. There are no plans to extend the alley from the proposed development to E. Eldred Street or to improve the alley from S. Dobson to the west either.

This connection serves no purpose for vehicular connection, and abandoning the alley would reduce future City maintenance responsibility. Rhythm Ventures LLC will modify its plan to include a portion of the alley within its design in order to provide rear access to the residential units if the abandonment is approved.

Staff contact the five property owners adjacent to the alley proposed for abandonment since the right-of-way would be abandoned in equal parts to either side. All property owners were interested in accepting a portion of the right-of-way if abandoned and had no objections to the abandonment.

The City will retain a 20-foot-wide utility easement from E. Bufford Street to E. Eldred Street. A 10-foot-wide utility easement will be retained from S. Dobson Street to the west, approximately 115 feet. The application for abandonment has been sent to all required franchise utilities who have reviewed and signed off on the request.

OPTIONS:

- 1) Approve an ordinance abandoning the public alley in Block 33, Original Town of Burleson, according to the plat recorded in Volume 59, Page 638, Deed Records, Johnson County, Texas, authorizing the City Manager to execute a Deed Without Warranty to the adjacent landowners.
- 2) Deny an ordinance abandoning the public alley in Block 33, Original Town of Burleson, according to the plat recorded in Volume 59, Page 638, Deed Records, Johnson County, Texas, authorizing the City Manager to execute a Deed Without Warranty to the adjacent landowners.

RECOMMENDATION:

Approve an ordinance abandoning the public alley in Block 33, Original Town of Burleson, according to the plat recorded in Volume 59, Page 638, Deed Records, Johnson County, Texas, authorizing the City Manager to execute a Deed Without Warranty to the adjacent landowners.

PRIOR ACTION/INPUT (Council, Boards, Citizens):

None

FISCAL IMPACT:

None

STAFF CONTACT:

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