



**CITY OF TYLER, TEXAS  
CITY COUNCIL COMMUNICATION**

**Agenda Number: Z-8**

**Date: January 10, 2007**

**Subject: APPLICATION C11-06-012B GENOCO V INVESTMENTS**  
**Request that the City Council consider a request for the closure of a portion of a sixty foot (60') wide unimproved thoroughfare (Brentwood Drive) located at a point beginning three hundred fifteen feet from the intersection of Glenbrook Drive and Brentwood Drive and terminating at the Loop 323 SSE and Brentwood Drive intersection. The north side of the right-of-way is adjacent to Lot 2A of NCB 968C. The south side of the right-of-way is adjacent to Lot 2G of NCB 968.**

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**Item Reference:**

The applicant is requesting this closure in order for the unimproved thoroughfare (Brentwood Drive) to be incorporated into the adjacent property to allow for commercial development. The right-of-way is not currently serving as an access point and the right-of-way would be better incorporated into the adjacent lots, both of which are owned by Genecov Investments. Also, sewer and water utilities are located within the right-of-way. The applicant will have to re-plat the property and allow for the necessary easements.

On November 21, 2006, the Planning and Zoning Commission held a public hearing on this request. No written letters of protest were filed and no one spoke in opposition to the request. No one appeared on behalf of the application. All other departments have reviewed the request and anticipate no significant impact on services or facilities by the proposed change.

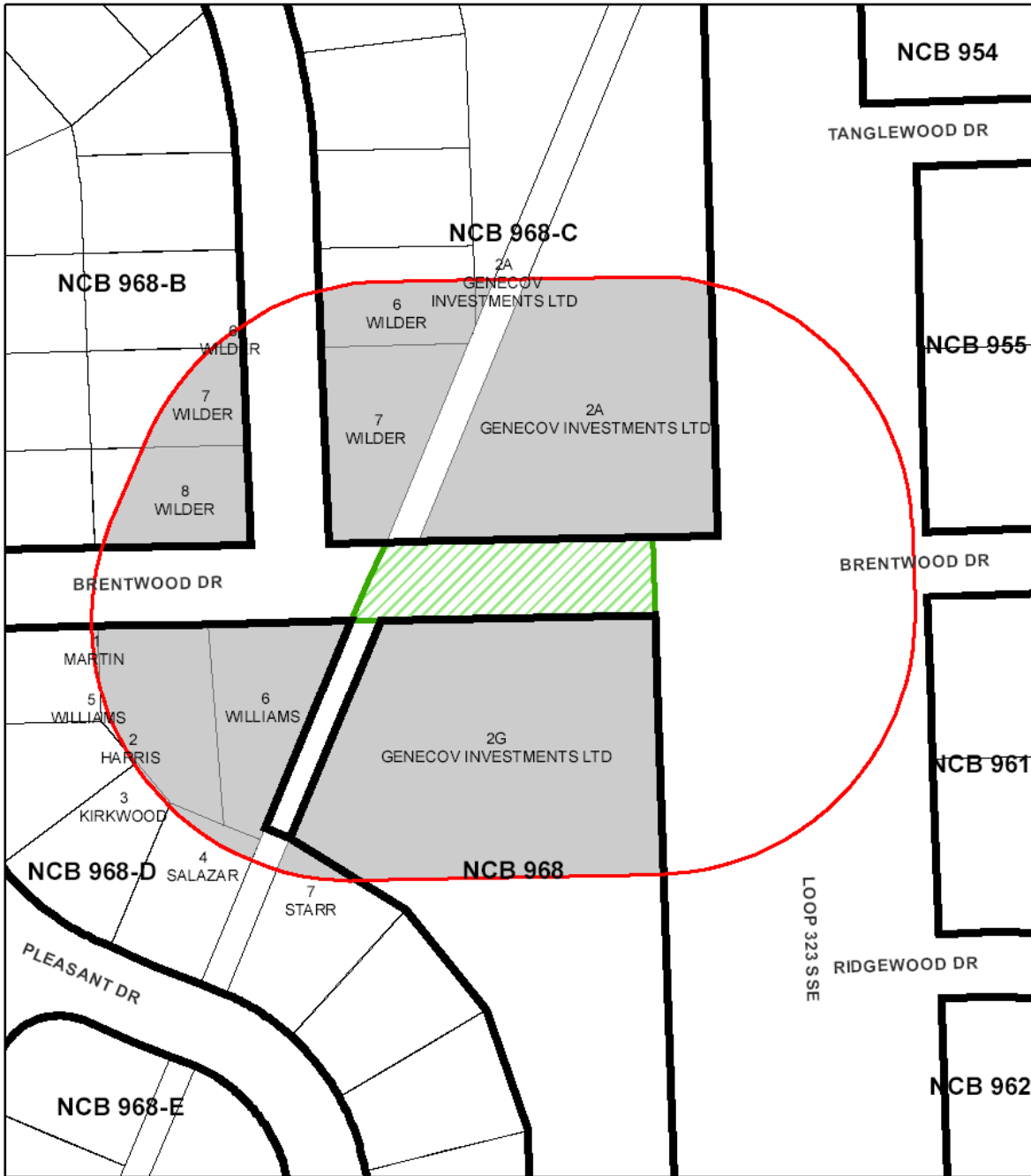
**RECOMMENDATION:**

The Planning and Zoning Commission, by a vote of 4-0-1, recommends approval of the closure of a portion of a sixty foot (60') wide unimproved thoroughfare (Brentwood Drive) located at a point beginning three hundred fifteen (315) feet from the intersection of Glenbrook Drive and Brentwood Drive and terminating at the Loop 323 SSE and Brentwood Drive intersection, subject to the applicant re-platting the property within six months and providing any necessary easements.

*Barbara Holly*


**Drafted/Recommended By: Barbara Holly  
Department Leader**

**Edited/Submitted By:  
City Manager**




**STREET CLOSURE**

Zoning Cases #: C11-06-012b  
Applicant: GENECOV INVESTMENTS

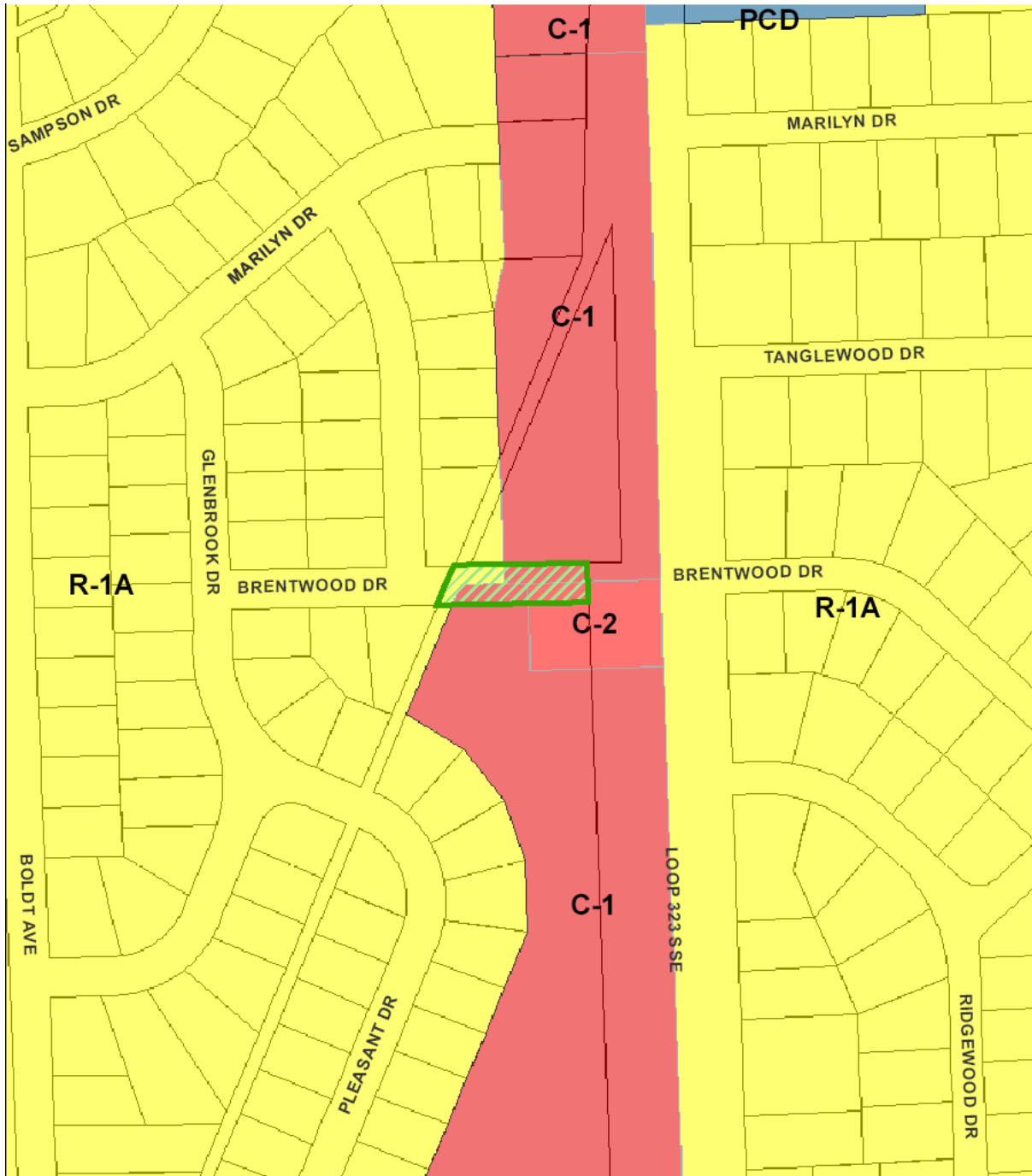


100 0 100 Feet



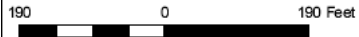
Subject Property

200' Notification Buffer



**STREET CLOSURE**

Zoning Cases #: C11-06-012b  
Applicant: GENECOV INVESTMENTS



 Subject Property

**ORDINANCE NO. O-2007-3**

**AN ORDINANCE PROVIDING FOR THE ABANDONMENT OF A PORTION OF A SIXTY FOOT (60') WIDE UNIMPROVED THOROUGHFARE (BRENTWOOD DRIVE) LOCATED AT A POINT BEGINNING THREE HUNDRED FIFTEEN FEET FROM THE INTERSECTION OF GLENBROOK DRIVE AND BRENTWOOD DRIVE AND TERMINATING AT THE LOOP 323 SSE AND BRENTWOOD DRIVE INTERSECTION. THE NORTH SIDE OF THE RIGHT-OF-WAY IS ADJACENT TO LOT 2A OF NCB 968C. THE SOUTH SIDE OF THE RIGHT-OF-WAY IS ADJACENT TO LOT 2G OF NCB 968; AND PROVIDING FOR THE TERMS AND CONDITIONS OF SUCH ABANDONMENT.**

**WHEREAS**, the applicant is requesting the closure of a portion of a sixty foot (60') wide unimproved thoroughfare (Brentwood Drive) located at a point beginning three hundred fifteen feet from the intersection of Glenbrook Drive and Brentwood Drive and terminating at the Loop 323 SSE and Brentwood Drive intersection. The north side of the right-of-way is adjacent to Lot 2A of NCB 968C. The south side of the right-of-way is adjacent to Lot 2G of NCB 968.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TYLER, TEXAS:**

**PART 1.** That the public right-of-way described below be, and the same is hereby abandoned, vacated and closed insofar as the right, title or easement of the public is concerned:

A portion of a sixty foot (60') wide unimproved thoroughfare (Brentwood Drive) located at a point beginning three hundred fifteen feet from the intersection of Glenbrook Drive and Brentwood Drive and terminating at the Loop 323 SSE and Brentwood Drive intersection. The north side of the right-of-way is adjacent to Lot 2A of NCB 968C. The south side of the right-of-way is adjacent to Lot 2G of NCB 968.

**PART 2.** That such closure and abandonment are contingent upon and will not become effective until and unless the following conditions occur:

1. The applicant replats the property within six (6) months; and
2. The applicant provides any necessary utility easements.

**PART 3.** That said public right-of-way is not needed for public purposes and it is in the public interest of the City of Tyler to abandon said described public right-of-way, other than the terms and conditions set out above.

**PART 4.** That the abandonment provided for herein shall extend only to the public right, title and easement in and to the tracts of land described in this ordinance, and shall be construed only to that interest the governing body of the City of Tyler may legally and lawfully abandon.

**PASSED AND APPROVED** this the 10<sup>h</sup> day of January, 2007.

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JOSEPH O. SEEBER, MAYOR  
OF THE CITY OF TYLER, TEXAS

ATTEST:

APPROVED:

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CASSANDRA BRAGER, CITY CLERK

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GARY LANDERS, CITY ATTORNEY