

**PLANNING AND ZONING COMMISSION
STAFF REPORT**



July 18, 2013

Rezoning case no. RZ 13-09: McCurdy Service, Inc.

CASE DESCRIPTION: a request to change the zoning classification from Agricultural Open District (A-O) to Commercial District (C-3)

LOCATION: 2.49 acres of land currently addressed as 6223 East State Highway 21 and adjoining the northwest side of East State Highway 21, approximately 475 feet to 830 feet north from its intersection with Crosswind Drive, across from Coulter Airfield

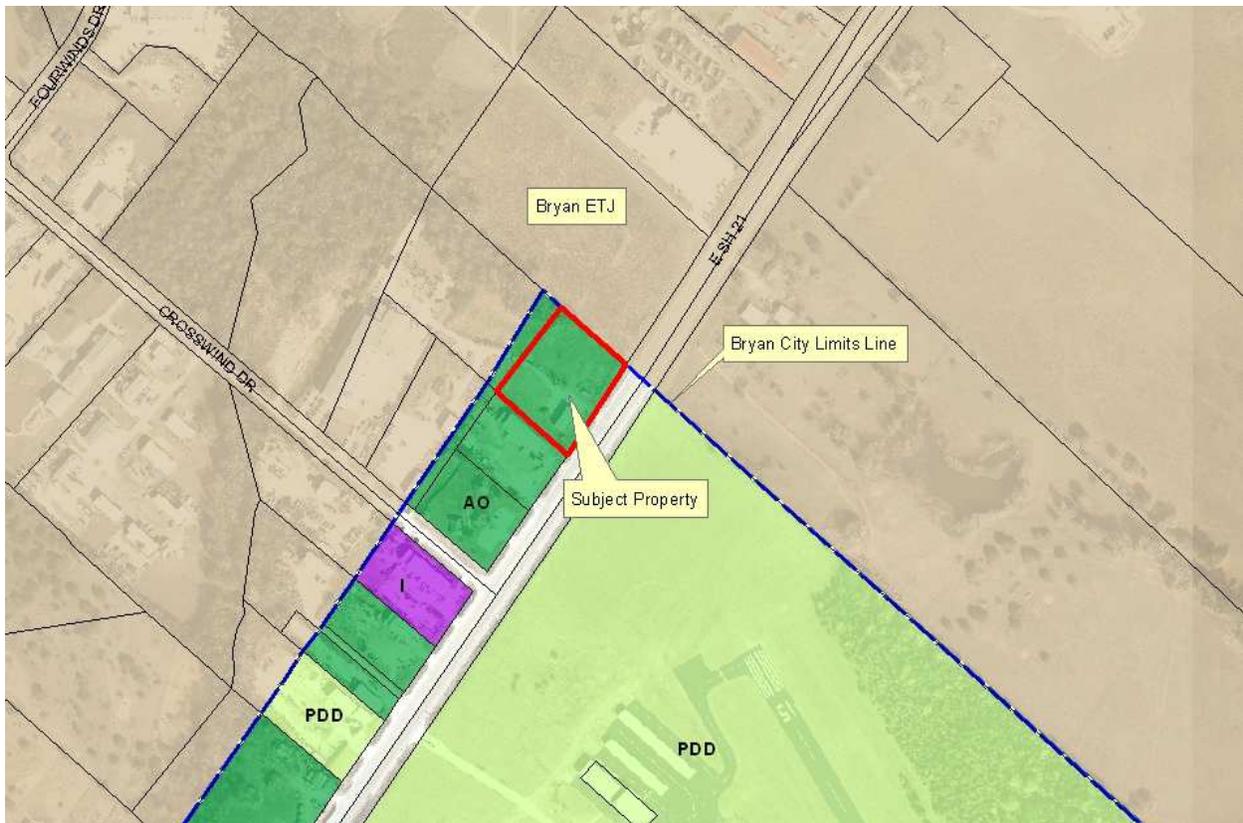
LEGAL DESCRIPTION: portion of Lot 3 on Block 2 of the East Brazos Industrial Park Subdivision - Phase 1

EXISTING LAND USE: vacant commercial building

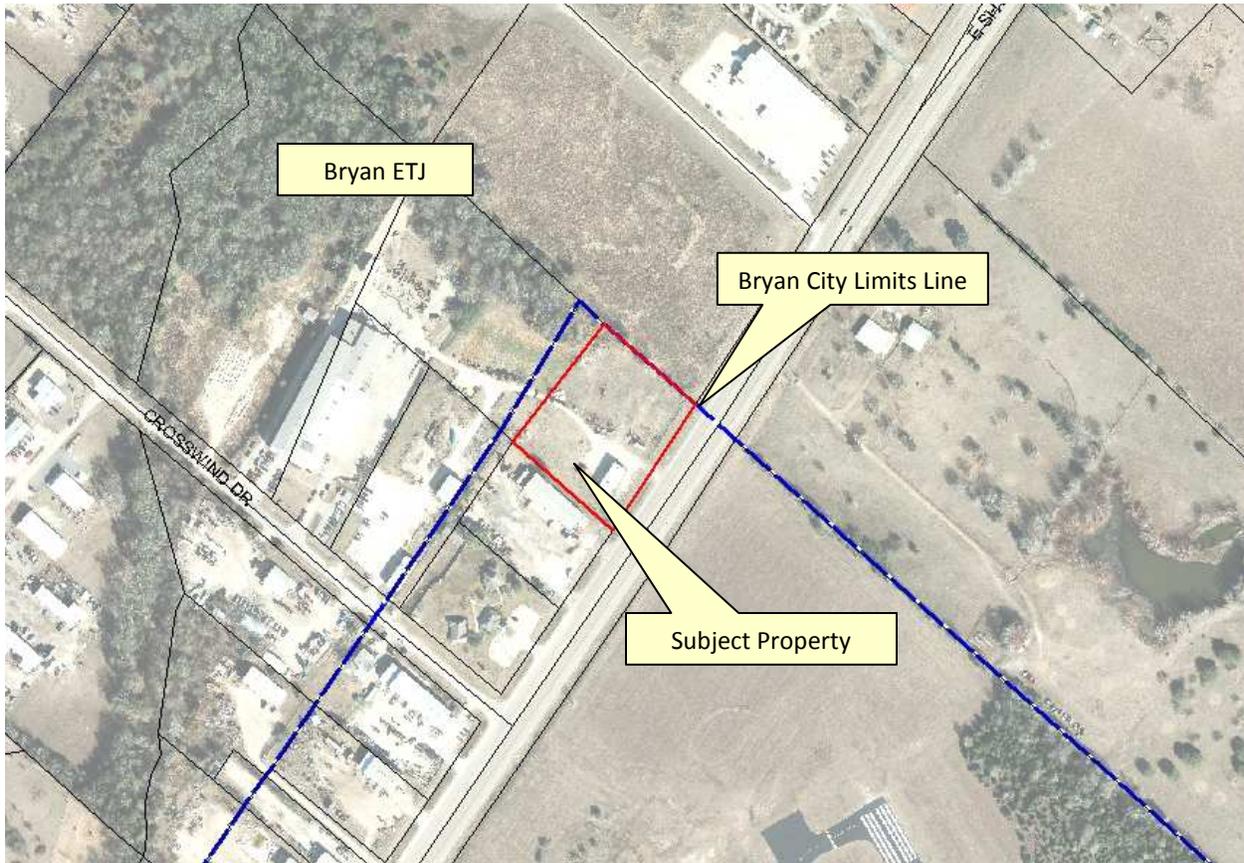
APPLICANT(S): W.L. McCurdy

STAFF CONTACT: Matthew Hilgemeier, Staff Planner

SUMMARY RECOMMENDATION: Staff recommends **approving** this rezoning request.



AERIAL PHOTOGRAPH (2011):



BACKGROUND:

The subject property is 2.49 acres in size and located approximately 475 feet north of the intersection of East State Highway 21 and Crosswind Drive across from Coulter Airfield. The property was annexed to the City of Bryan in 1999. Upon annexation, the property, which at that time was occupied as an oil and gas field equipment yard, was zoned Agricultural – Open (A-O) District and the land use became a legally nonconforming use. The oil and gas field equipment use was discontinued for more than 12 months several years later, which means that it could no longer be used for oil and gas field services under the property’s A-O zoning, which does not allow oil and gas field service uses.

The property owner has recently been approached by several parties interested in using the property for heavy commercial purposes. The applicant, Mr. McCurdy, is requesting to change the zoning on the subject property to C-3 (Commercial) District, which, if approved, would provide opportunities for development of this property with heavy retail and commercial uses of a service nature, including wholesale trade, retail sales, warehousing development, repair and service establishments, as well as heavy and bulk equipment supply dealers.

The A-O zoning classification is intended to provide opportunities for development of low density, detached single-family residences on lots of at least one acre in a suburban or rural setting. This zoning classification is also intended to serve as a holding zone for vacant land areas annexed to the City as well as to protect areas that may be unsuitable for development and to preserve natural open space. It is the

function as a holding zone designation that has resulted in the current A-O classification of the subject property.

The area along the State Highway 21 corridor east of North Earl Rudder Freeway has been slowly developing and redeveloping with commercial uses in recent years. A major factor limiting development and redevelopment here has been the unavailability of water supply that provides adequate flow for fire protection and sewer services to the area. Generally these infrastructure extensions are made by private developers and then dedicated to the City for public use. However, to date no private project has been of such a scale as to make these extensions financially feasible. Currently the City of Bryan is funding a capital improvement project for the extension of municipal sanitary sewer lines into the area. Wickson Creek Special Utility District is the water supplier in this area and also provides water service to the subject property.

RELATION TO BRYAN'S COMPREHENSIVE PLAN:

The City of Bryan adopted a new Comprehensive Plan in January 2007. The plan includes policy recommendations related to the various physical development aspects. The plan identified a number of issues that have been, according to the committee members, an impediment to the healthy growth of the community. Among the goals supported by the policies are the development of attractive entrances and corridors and encouraging and promoting compatible infill and redevelopment in areas where these activities will benefit the city as a whole and the area specifically. One of the plan's objectives is to encourage a sustainable mix of land uses types in suitable locations, densities and patterns and to identify areas for commercial development and preserve them with appropriate zoning.

ANALYSIS:

In making its recommendation regarding a proposed zoning change, the Planning and Zoning Commission shall consider the following factors:

1. Whether the uses permitted by the proposed change will be appropriate in the immediate area concerned; relationship to general area and the City as a whole.

Staff contends that due to the location of the property and the surrounding uses, a change to the C-3 zoning district will allow this property to develop commercial uses that are appropriate for this area of town and would fit within the adopted goals and land use policies set out in the Comprehensive Plan. Staff believes that commercial development opportunities at this location will be compatible with nearby commercial and industrial uses in the vicinity.

2. Whether the proposed change is in accord with any existing or proposed plans for providing public schools, streets, water supply, sanitary sewers, and other utilities to the area and shall note the findings.

Highway 21 is capable of accommodating traffic loads typically associated with commercial development. Future growth in this area will require additional public infrastructure in order for orderly development to occur. Staff finds that the proposed change will have no immediate impact on infrastructure needs in the area. A municipal capital improvement project that will provide sanitary sewer in the area is in the planning stages.

3. The amount of vacant land currently classified for similar development in the vicinity and elsewhere in the City, and any special circumstances which may make a substantial part of such vacant land unavailable for development.

Staff believes that this zone change request, if approved, will not make land classified for similar development in the vicinity or elsewhere in the City unavailable for development.

4. The recent rate at which land is being developed in the same zoning classification as the request, particularly in the vicinity of the proposed change.

Development pressure in the vicinity of the property has been light compared to other areas of the city.

5. How other areas designated for similar development will be, or are unlikely to be affected if the proposed amendment is approved, and whether such designation for other areas should be modified also.

Due to the infrastructure situation, similar development in the area would be unlikely in the short term. Staff contends that a review of existing zoning and the adoption of a corridor plan to guide development when adequate infrastructure is in place would be advisable. Staff contends that areas designated for similar development would not be affected if the proposed zoning amendment is approved.

6. Any other factors affecting health, safety, morals, or general welfare.

Staff is unable to identify additional factors other than those mentioned above that might affect health, safety, morals, or general welfare if this rezoning were approved.

RECOMMENDATION:

Based on all these considerations, staff recommends **approving** the requested zone change to C-3 District on the subject property.