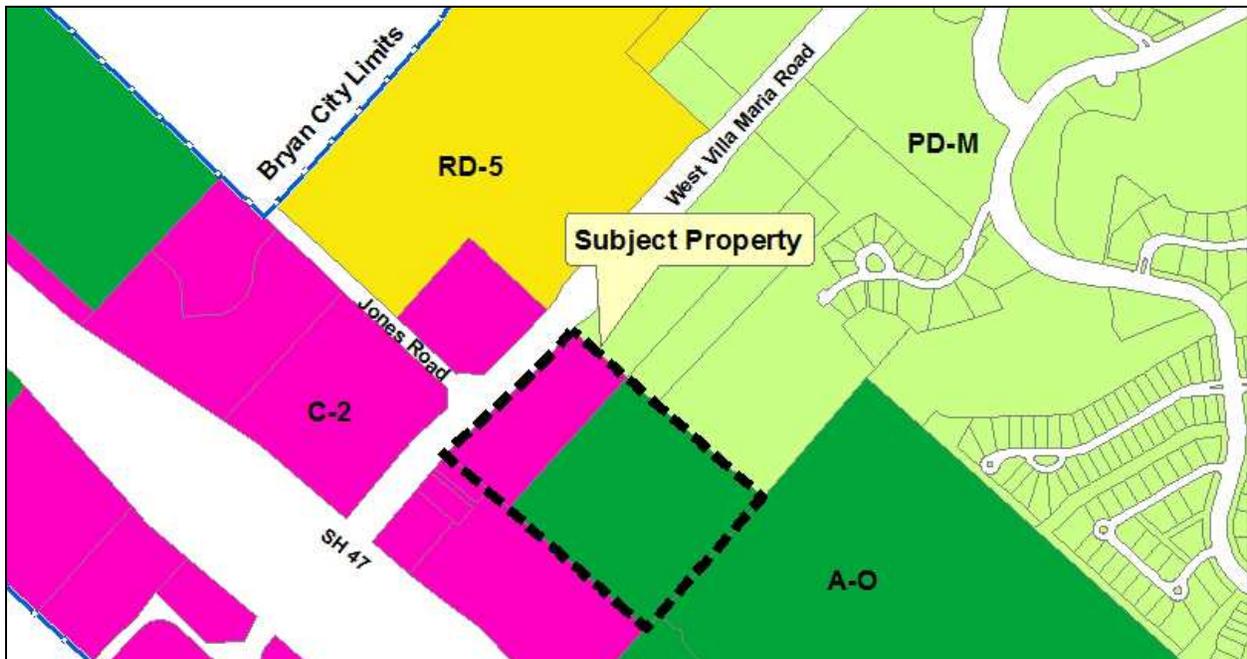


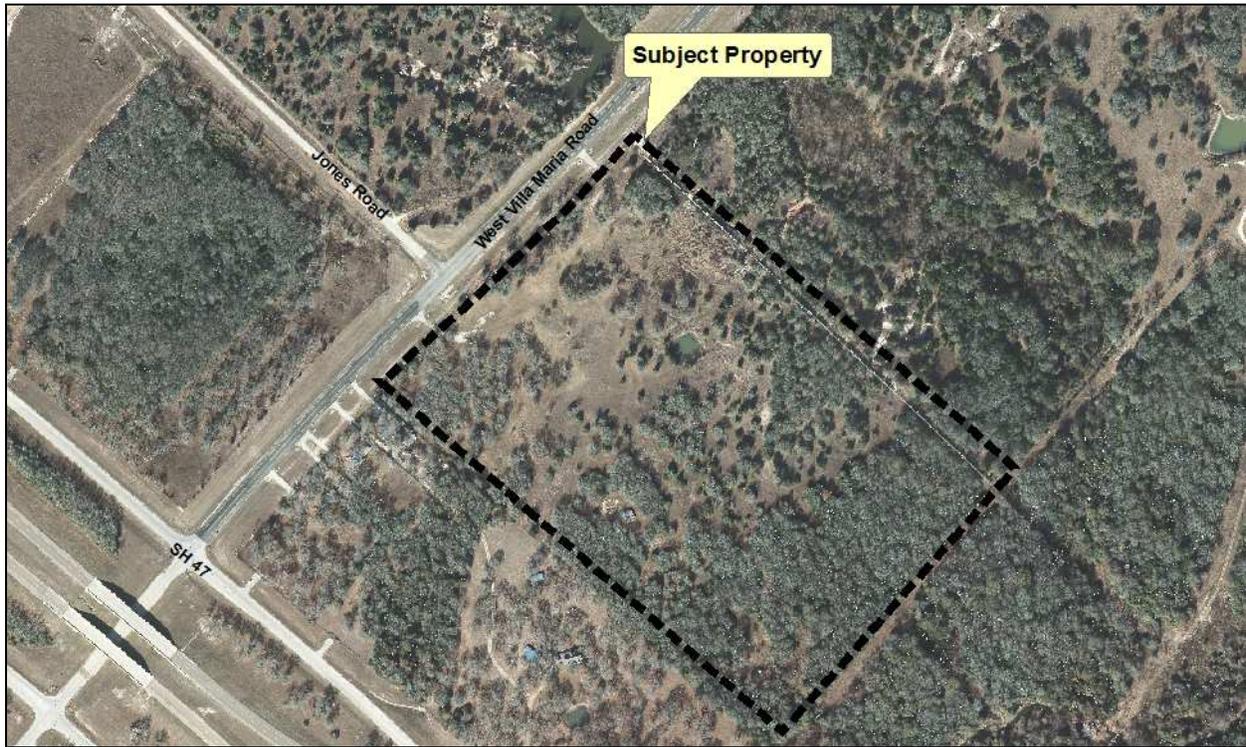
August 15, 2013

**Rezoning case no. RZ13-11: The Aggieland Company**

- CASE DESCRIPTION:** a request to change the zoning classification from a combination of Agricultural – Open District (A-O) and Retail District (C-2) to a combination of Residential District – 5000 and Retail District (C-2)
- LOCATION:** 33.783 acres of vacant land adjoining the south side of West Villa Maria Road (F.M. 1179) across from its intersection with Jones Road
- LEGAL DESCRIPTION:** T. J. Wooten, Tract 36.41
- EXISTING LAND USE:** vacant acreage
- APPLICANT(S):** Tony Jones of The Aggieland Company
- STAFF CONTACT:** Randy Haynes, Project Planner
- SUMMARY RECOMMENDATION:** Staff recommends **approving** the proposed rezoning, as requested.



**AERIAL PHOTOGRAPH – 2011:**



**BACKGROUND:**

The applicant, Mr. Tony Jones of The Aggield Company, is requesting to change the zoning classification on the subject property from a combination of Agricultural-Open District (A-O) and Retail District (C-2) to a combination of Residential District – 5000 (RD-5) and Retail District (C-2). The subject property consists of 33.783 acres of vacant land adjoining the south side of West Villa Maria Road across from its intersection with Jones Road. The applicant wishes to develop approximately 28 acres of the subject property lying approximately 200 feet southeast of West Villa Maria Road with a residential subdivision (referred to as The Legends Subdivision). The balance of the property, 5.7 acres, adjoining West Villa Maria is proposed to remain designated for retail use. Please also refer to the attached zoning map provided by the applicant, showing existing and proposed zoning boundaries.

The proposal will reduce the amount of land currently zoned for retail use by approximately 5.3 acres. A master plan for The Legends Subdivision proposing a low-density residential development at this location is currently prepared and scheduled for consideration by the Planning and Zoning Commission during its regular meeting on September 19, 2013.

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.

The C-2 zoning classification is established to provide locations for various types of general retail trade, business and service uses. The district allows shopping areas or uses which are generally compatible near or adjacent to, but not usually directly in, residential neighborhoods. Retail zoning should be located along or at the intersection of major collectors or arterials to accommodate higher traffic volumes.

The RD-5 zoning classification is intended to provide opportunities for development of detached single-family dwellings on lots of at least 5,000 square feet in size.

#### **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 of the community. These aspects are supported by a set of goals and objectives. The Comprehensive Plan suggests that low density residential uses should be located in areas that are protected from (but accessible to) major roadways. The Comprehensive Plan further suggests that retail land should be located in areas that are at points of highest visibility and access and in close proximity to major intersections.

#### **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 and their relationship to general area and the City as a whole.

**Staff believes that RD-5 zoning on the 28 of these 33 acres as proposed is appropriate at this particular location and is in accordance with land use recommendations of the Comprehensive Plan. Staff believes that a single-family residential subdivision located at least 200 feet from a major arterial street (W. Villa Maria Road) will promote orderly urban growth in this vicinity. Staff also believes that the land proposed to be reserved for future development with retail establishments is appropriate in this particular case, as the Retail District will provide opportunities for development that will complement and be beneficial to the new residential subdivision.**

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.

**This proposed low-density residential subdivision on the RD-5 portion of this property will be located near West Villa Maria Road and State Highway 47, and will have access to those major roads via a collector street. Adequate water and sewer infrastructure exists near the perimeter of the subject property. Extension of services will be addressed at the time of development. The extension of Jones Road southeast into the subject property will provide a collector connection and desirable retail locations at the future intersection of the two roads on the south side of West Villa Maria Road.**

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.

**The closest vacant land zoned for residential development lies northeast of the subject property in the subdivision known as The Traditions – Phase 20. No significant alteration is being proposed in the arrangement of land zoned for retail use. Staff believes that this zone change request, if approved, will not make land classified for similar uses 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.

**Staff contends that residential developments are occurring at a moderate pace in this vicinity and elsewhere in the city. Retail expansion in the immediate vicinity has yet to occur but is expected to begin once an adequate amount of residential development occurs.**

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.

**If the proposed zone change was approved, staff believes there to be few, if any, effects on other areas designated for similar development.**

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

**Staff is unable to identify factors otherwise unmitigated by required development standards 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, finding that the proposed arrangement of C-2 and RD-5 zoning on this property appears to be consistent with the land use recommendations of the Bryan Comprehensive Plan.