

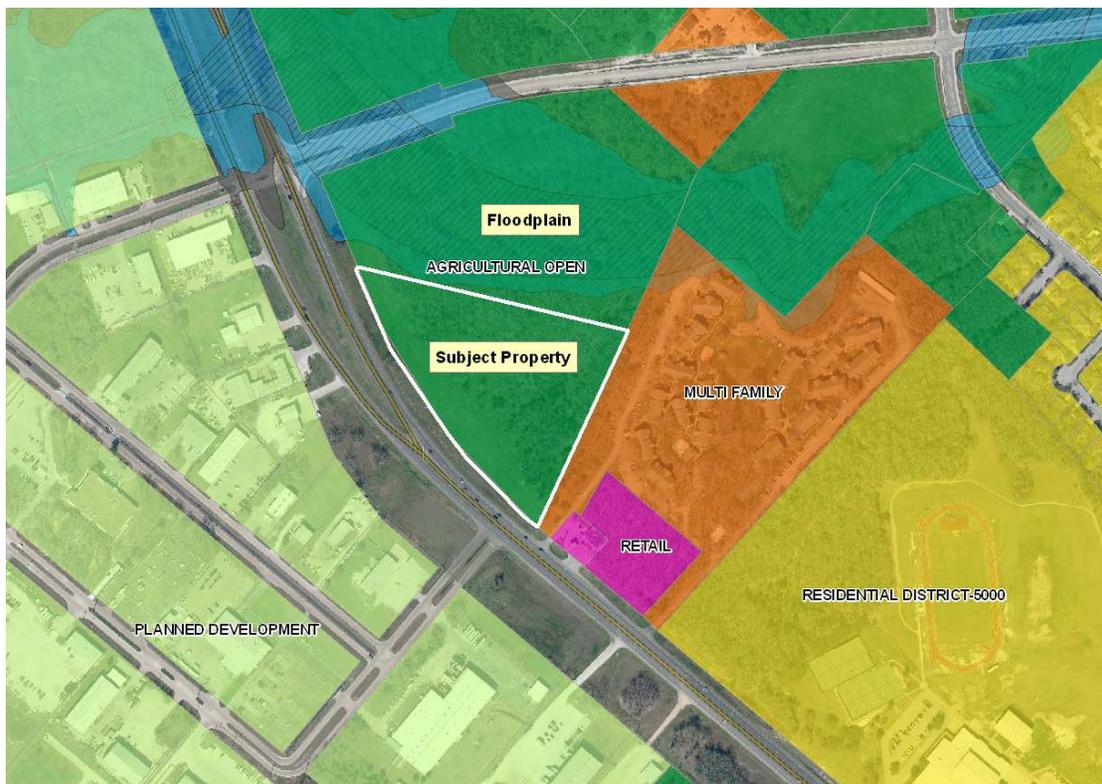
PLANNING AND ZONING COMMISSION  
STAFF REPORT

January 16, 2014



Conditional Use Permit case no. CU13-11: H. Brooks Enterprises, LLC

- CASE DESCRIPTION:** request for approval of a Conditional Use Permit to allow a recreational vehicle (RV) park on property in an Agricultural-Open District (A-O)
- LOCATION:** 9.223 acres of land out adjoining the northeast side of Harvey Mitchell Parkway (FM 2818), approximately 300 feet to 1,130 feet south from its intersection with Beck Street
- LEGAL DESCRIPTION:** 9.2323 acres of land out of Stephen F. Austin Survey #9, A-62
- EXISTING LAND USE:** vacant acreage
- APPLICANT(S):** Hogan Brooks of H. Brooks Enterprises, LLC
- STAFF CONTACT:** Matthew Hilgemeier, Staff Planner
- SUMMARY RECOMMENDATION:** Staff recommends **approving** this request, **subject to certain conditions**. Please refer to page five of this report for a more detailed description of staff's recommendation.





**BACKGROUND:**

The subject property is located along the northeast side of North Harvey Mitchell Parkway (F.M. 2818), south from its intersection with Beck Street and is zoned Agricultural-Open District (A-O) since the adoption of zoning in Bryan in 1989. The subject property has never been developed and is heavily wooded.

Property located to the east of the subject property is zoned Multi-Family District (MF) and is developed with an apartment complex (“The Oaks Apartments”). The apartment complex shares access with a convenience store which is located along FM 2818 on property zoned Retail District (C-2) just southeast of the subject property. Property to the immediate north is in the same A-O District as the subject property and encumbered by FEMA regulated floodplain. The Brazos County Industrial Park Land located to the west of the subject property, across FM 2818, on land is zoned Planned Development – Industrial District (PD-I).

The applicant, Mr. Hogan Brooks, is in the process of purchasing the subject property and planning the development of a recreational vehicle (RV) park here. Bryan’s Zoning Ordinance potentially allows RV parks in A-O zoning districts, but only with prior approval of a Conditional Use Permit from the Planning and Zoning Commission.

The proposed RV park layout is shown on the conceptual site plan that is attached to this staff report. The site plan shows a total of 91 RV parking pads (including pull thru and single entry pads), as well as drive isles, proposed buffer areas, and an office/maintenance/shower/laundry building with adjacent off-street

parking. The conceptual landscape plan, which is also attached to this staff report, shows required landscaping along the subject property's front property line adjoining North Harvey Mitchell Parkway. Existing trees are proposed to be preserved to provide screening and amenity along the subject property's southeast side property line and adjacent to the floodplain/floodway (a Cottonwood Branch tributary) that borders this tract to the north.

#### **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 states that the City will "facilitate orderly, efficient and attractive development, redevelopment, and infill." The plan recommends a balance of land uses within the City and a sustainable mix of land use types in suitable locations, densities and patterns.

#### **ANALYSIS:**

Approval of a Conditional Use Permit by the Planning and Zoning Commission shall be based upon the following criteria.

1. Whether the proposed conditional use conforms to applicable regulations and standards established by the Zoning Ordinance.

**If approved, the proposed RV park use will conform to all applicable regulations and standards established by the Zoning Ordinance for properties zoned Agricultural – Open District (A-O). No variations from existing development standards are being requested.**

2. Whether the proposed conditional use is compatible with existing or permitted uses on abutting sites, in terms of use, building height, bulk and scale, setbacks and open spaces, landscaping, drainage, or access and circulation features.

**The subject property is located along a major thoroughfare (FM 2818) adjacent to an apartment complex and a convenience store. Staff contends that a new RV park development in this particular environment, with excellent access to the City's major street network, should have few (if any) negative impacts on uses on abutting properties. While a commercial enterprise, an RV park use is quasi-residential in character as it provides room for temporary on-site dwelling purposes. Typically, RV parks have low volumes of traffic and create relatively little noise and light pollution. When combined with the proposed landscaping, required setbacks and the proposed preservation of existing trees along property lines, staff contends that the proposed RV park use is compatible with surrounding land uses in this particular case.**

3. Whether and the extent to which the proposed conditional use potentially creates greater unfavorable effect or impacts on other existing or permitted uses on abutting sites than those which reasonably may result from the use of the site by a permitted use.

**Staff believes that the proposed RV park can reasonably be expected to create no more unfavorable effects or impacts on existing uses on abutting sites than those which could be created by land uses currently permitted by right at this location in the existing A-O zoning**

**district, such as commercial kennel, landscape service, commercial stables, or veterinary clinics with outdoor pens and runs.**

4. Whether and the extent to which the proposed conditional use affects the safety and convenience of vehicular and pedestrian circulation in the vicinity, including traffic reasonably expected to be generated by the proposed use and other uses reasonably anticipated in the area considering existing zoning and land uses in the area.

**The applicant and staff have been working with TxDOT to determine the optimal placement for driveway access into the site which will have the smallest impact on traffic along FM 2818. The applicant is proposing to have one main public entrance and a gated secondary emergency access only entrance.**

5. Whether and the extent to which the proposed conditional use would reasonably protect persons and property from erosion, flood or water damage, fire, noise, glare, and similar hazards or impacts.

**The submission and approval of detailed site and building plans will be required for all new development at this location. Ordinary City of Bryan development review processes should prevent additional adverse impacts concerning erosion, flood or water damage, noise, glare, fire and other hazards.**

6. Whether and the extent to which the proposed conditional use adversely affects traffic control or adjacent properties by inappropriate location, lighting, or types of signs.

**The applicant proposes a 200-square foot, 25-foot tall freestanding sign to advertise the RV park on the subject property as shown on the rendering attached to this staff report, which is 100-square foot less and 25 feet shorter than a sign that would be allowed here if the property were zoned Commercial District (C-3). The entrance to the facility where the sign will be located will only allow for right in/right out turning movement from/onto FM 2818 from the subject property. Taking into consideration the subject properties frontage of more than 1, 000 along FM 2818, and the extraordinary width of street right-of-way adjacent to the site, and that the convenience store sign on the adjacent property has a similarly-sized sign, the proposed sign should not appear to be out of character in this particular environment. Staff contends that the proposed RV park will not change the safety level of vehicular or pedestrian traffic in the area by inappropriate location, lighting, or types of signs.**

7. Whether and the extent to which the proposed conditional use provides adequate and convenient off-street parking and loading facilities.

**Staff believes that adequate off-street parking will be provided in conjunction with this proposed development on the 91 RV park pads. Eight additional off-street parking spaces are proposed to be provided for the proposed office/maintenance/shower/laundry building.**

8. Whether the proposed conditional use conforms to the objectives and the purpose of the zoning district in which the development is proposed.

**The A-O District is intended to provide a location for the protection of open land until urbanization is warranted. The proposed use is a relatively low-impact use and appears to be compatible with neighboring uses in this particular environment. Staff contends that in this particular case, the proposed RV park development is compatible with the overall spirit of the Zoning Ordinance and land use recommendations of the Comprehensive Plan which suggest a**

**sustainable mix of land use types in suitable locations, densities and patterns.**

9. Whether the proposed conditional use will be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity.

**At this time, staff cannot identify any factors that would cause the proposed use to be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity.**

10. Whether the premises or structures are suitable for the proposed conditional use.

**For the same reasons given above, staff believes that the subject property is suitable for the proposed RV park use.**

#### **RECOMMENDATION:**

Staff recommends **approving** this requested Conditional Use Permit to allow a recreational vehicle (RV) park on the subject property. Staff's positive recommendation is subject to the following conditions:

1. That a site plan fulfilling all technical requirements for non-residential development, including, but not limited to public water/sewer utility extensions, stormwater management, landscape plan, and on-site circulation, in accordance with the City's Land and Site Development Ordinance (Bryan Code of Ordinance Chapter 62), shall be submitted for review and approval by the City of Bryan's Site Development Review Committee (SDRC) before any permits are issued for an RV park development on the subject property. Any such site plan shall substantially conform to the conceptual site and landscape plans that are attached to this staff report.
2. That freestanding signage for an RV park development on the subject property shall substantially conform to the conceptual signage drawing that is attached to this staff report.