

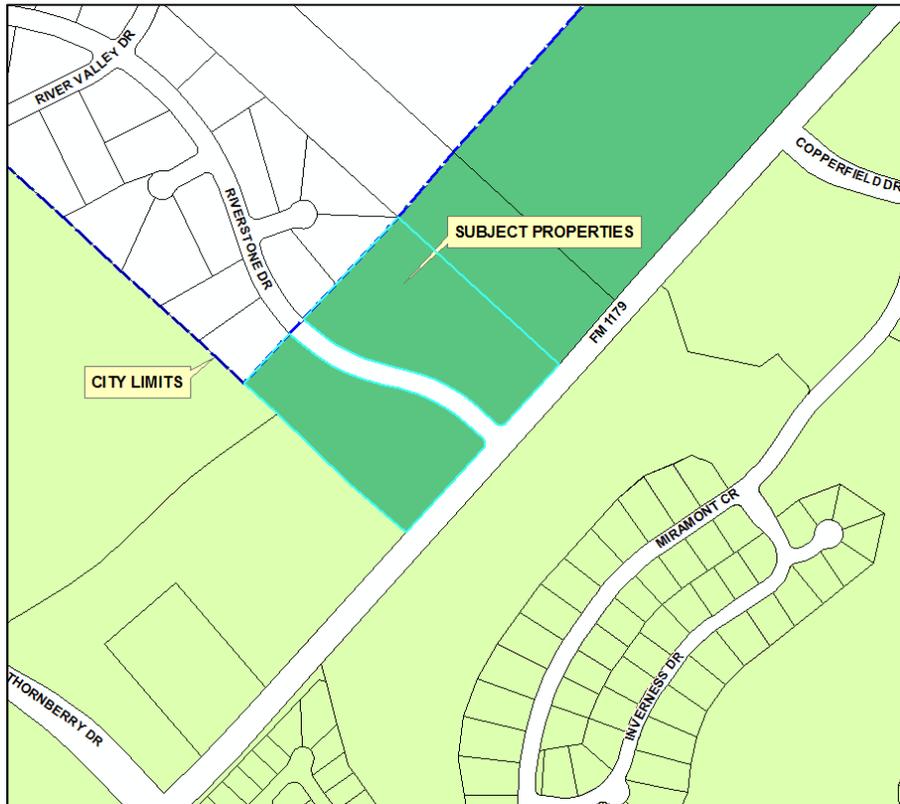
PLANNING AND ZONING COMMISSION
STAFF REPORT

January 16, 2014



Rezoning case no. RZ 13-21: 1179 Joint Venture 1, LP

- CASE DESCRIPTION:** a request to change the zoning classification from Agricultural-Open (A-O) to Residential District – 5000 (RD-5)
- LOCATION:** 14.05 acres of land adjoining both sides of Riverstone Drive north of its intersection with FM 1179
- LEGAL DESCRIPTION:** 14.05 acres out of John Austin Survey, A-2
- EXISTING LAND USE:** vacant land
- APPLICANT(S):** Dean Schieffer of 1179 Joint Venture 1, LP
- STAFF CONTACT:** Martin Zimmermann, Planning Administrator
- SUMMARY RECOMMENDATION:** Staff recommends **approving** the proposed rezoning.



AERIAL PHOTOGRAPH (2013):



BACKGROUND:

The applicant/property owners, 1179 Joint Venture 1, LP, are requesting to change the zoning on the subject property from Agricultural-Open District (A-O) to Residential District – 5000 (RD-5), to permit the proposed development of a single-family subdivision on these properties (proposed Phases 3 and 4 of Riverstone Subdivision). The subject property is 14.05 acres in size and has frontage along Riverstone Drive and FM 1179.

Phases 1 and 2 of Riverstone Subdivision are located on land to the immediate northwest of the subject property. Phases 1 and 2 are located outside of Bryan’s city limits and have been developing with single-family homes since 2007. Land to the southwest is currently vacant and zoned Planned Development – Mixed Use District (PD-M). A limited range of commercial land uses are permitted here as part of the master-planned Greenbrier development. Land to the immediate northeast, along the north side of FM 1179, is occupied by a single-family residence and zoned A-O District. Land further northeast in the same A-O District has remained undeveloped. Southwest of the subject property, across FM 1179, lies Miramont Subdivision, a master planner golf course community, zoned Planned Development – Mixed Use District (PD-M).

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 RD-5 zoning classification is intended to provide opportunities for development of detached 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. The Comprehensive Plan states that it is a goal of the City to achieve a balanced and sustainable mix of land uses within the City by planning for a mix of land use types in suitable locations, densities and patterns. Low-density residential land serves to provide housing and living units for a variety of people with a range of incomes and needs. It predominantly consists of detached single family dwellings but may consist of other housing types as long as densities remain low; up to 8 dwelling units per acre. City-wide land use policies articulated in the Comprehensive Plan suggest that single-family residential land uses should be located in areas that are protected from, but accessible to the major roadway network, commercial establishments, work places and entertainment areas.

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 believes that RD-5 zoning on these 14.05 acres is appropriate at this particular location and is not only in accordance with land use recommendations of the Comprehensive Plan, but also the master plan for the Riverstone Subdivision. Staff believes that single-family residences at this location will promote orderly urban growth in close proximity to the existing Riverstone and Miramont Subdivisions and planned non-residential use in the adjoining Greenbrier Subdivision. The new subdivision will have access to the major road network, but will be accessed via Riverstone Drive, which is classified as a local street on Bryan's Thoroughfare Plan.

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.

City of Bryan utilities will be available for this development for point-of-use extension based on applicable utility extension polices and/or ordinances. The applicants have been made aware of the existing utility capacities and the requirement to extend public infrastructure to and through this property in accordance with existing standards. Staff is not aware of any circumstances that would prevent this property from having access to required utilities.

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 is located generally west from the subject property in the Greenbrier Subdivision. Staff believes that if a zoning proposal for a

single-family residential subdivision were approved for this property, then this would not make land classified for similar development in the vicinity and 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 developing at a moderate pace in this vicinity and elsewhere in 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.

Staff believes that if a zoning proposal for a single-family residential subdivision were approved for this property, there would be no need to modify the zoning designation for other areas designated for similar developments.

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 Residential District – 5000 (RD-5) on the subject properties. RD-5 zoning on this property appears to be consistent with the land use recommendations of the Bryan Comprehensive Plan.