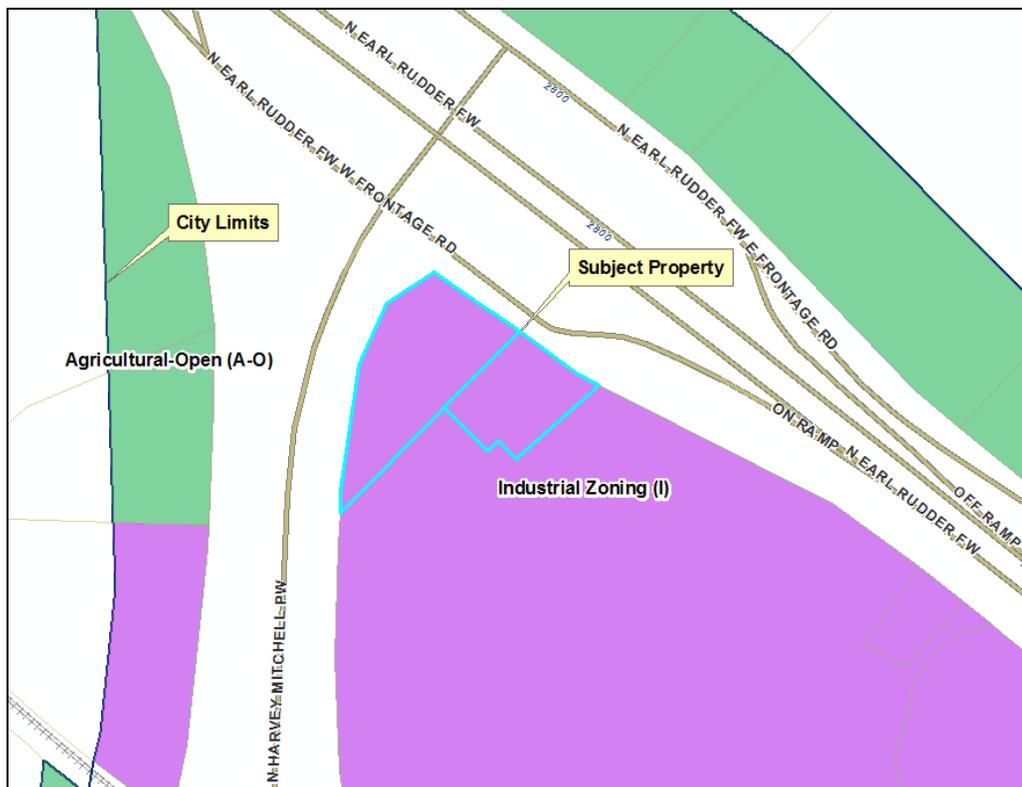


June 19, 2014

Rezoning case no. RZ14-13: Nasir Veerani

- CASE DESCRIPTION:** a request to change the zoning classification from Industrial District (I) to Commercial District (C-3)
- LOCATION:** 8.37 acres of land located at the south corner of North Earl Rudder Freeway (State Highway 6) and North Harvey Mitchell Parkway (F.M. 2818)
- LEGAL DESCRIPTION:** Lot 1 in Block 1 of Big Gas Truck Stop Subdivision and Lot 1 in Block 1 of North Point Business Park Subdivision
- EXISTING LAND USE:** truck stop and vacant lot
- APPLICANT(S):** Nasir Veerani
- STAFF CONTACT:** Maggie Dalton, Staff Planner
- SUMMARY RECOMMENDATION:** Staff recommends **approving** this rezoning request.



AERIAL PHOTOGRAPH (2013):



BACKGROUND:

The subject properties are a combined 8.37 acres in size and located at the intersection of North Harvey Mitchell Parkway (FM 2818) and North Earl Rudder Freeway (State Highway 6). The northern property is currently occupied by truck stop and the southern property is currently vacant. The applicant, Mr. Nasir Veerani, has requested to change the zoning of the subject properties to Commercial District (C-3), to allow for the potential development of a retail center on the currently vacant southern property. C-3 zoning on the property that is currently occupied by a truck stop would create a more orderly zoning pattern and continue to allow the existing truck stop and accessory retail uses at this location.

The Industrial District is intended primarily for the conduct of heavy manufacturing, assembling and fabrication, and for large scale warehousing, wholesaling and service operations. The C-3 District is intended predominantly for heavy retail and commercial uses of a service nature which typically have operating characteristics or traffic service requirements generally compatible with typical retail for shopping, but generally not with residential environments.

East of the subject property across N. Earl Rudder Freeway (State Highway 6) and west across North Harvey Mitchell Parkway is land zoned Agricultural-Open District (A-O). Land to the south for approximately two miles is zoned Industrial District and Planned Development – Industrial District (PD-I). The nearest property zoned for commercial use is located approximately 1.2 miles to the southeast located on North Texas Avenue.

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. The Comprehensive Plan also suggests that commercial uses are appropriate at points of high visibility along arterial and major collector streets and at intersection of major streets.

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 the uses permitted in C-3 are appropriate at this particular location. The C-3 zoning classification is intended to provide opportunities for development of heavy retail and commercial uses that are not generally associated with residential environments. The character of commercial development allowed in C-3 Districts is purposefully intended to be of relatively high intensity with retail activity, in comparison with the permitted manufacturing and fabrication operation type activities allowed in Industrial zoning (I).

In this particular case, C-3 zoning on the subject property will be consistent with land use recommendations of Bryan's Comprehensive Plan which suggests that commercial uses are appropriate at locations that are located at or near major intersections and along major corridors. The proposed zoning change will apply a compatible zoning district to land that is already developed and currently occupied by a truck stop.

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.

Public infrastructure is adequate to support the existing development on the subject property. Staff finds that the proposed change will have no immediate impact on infrastructure needs in the area. Any issues regarding utility availability will be addressed at the time of development.

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 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 commercial development is occurring at a slow pace in this vicinity and moderately 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.

Other areas of Bryan zoned for commercial development will be unaffected by the proposed amendment.

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 properties.