

June 5, 2014

**Rezoning case no. RZ 14-11: Sam Trinh**

**CASE DESCRIPTION:** a request to change the zoning classification from Agricultural - Open District (A-O) to Retail District (C-2)

**LOCATION:** 9.86 acres of vacant land out of the Marie Kegan Survey, A-28, located at the northeast corner of State Highway 30 and Elmo Weedon Road

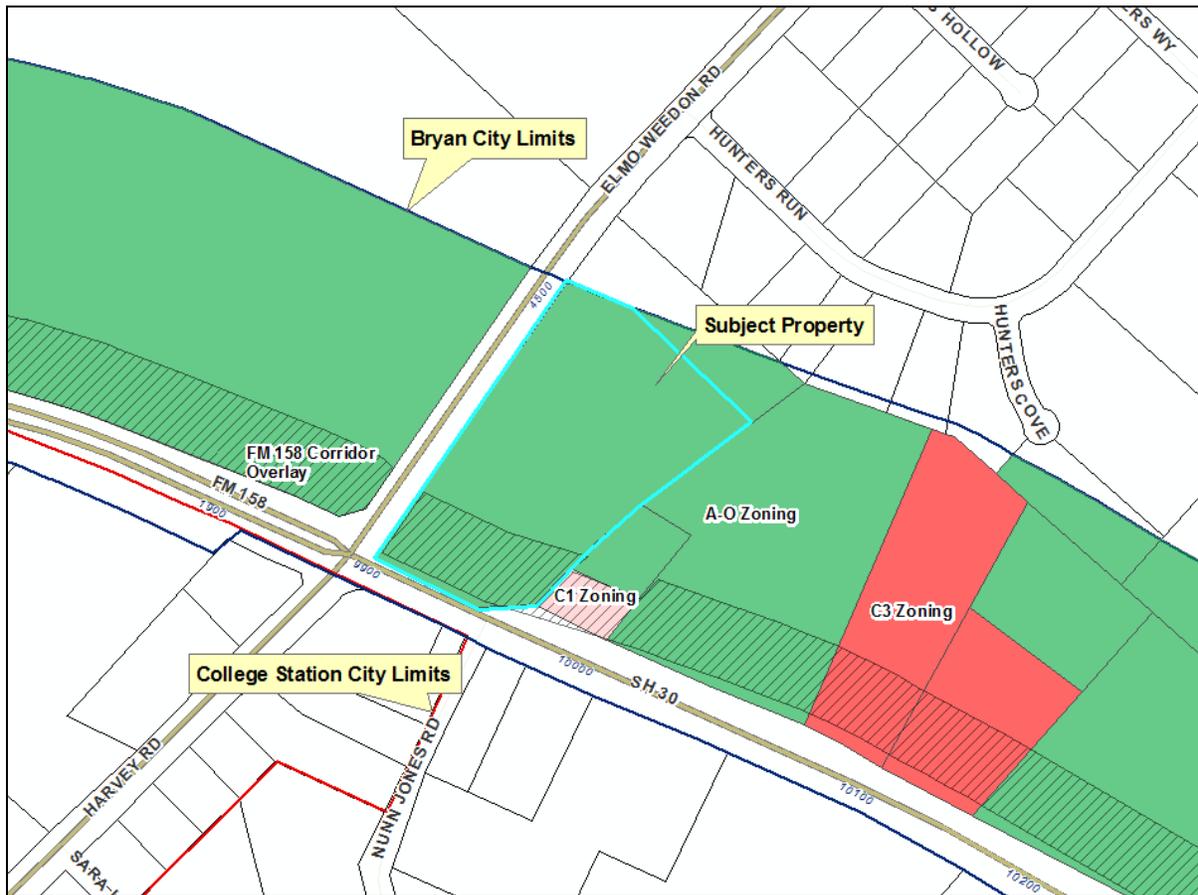
**LEGAL DESCRIPTION:** 9.86 acres of a 13.08 acre tract of land out of the Marie Kegan Survey, A-28

**EXISTING LAND USE:** vacant lot

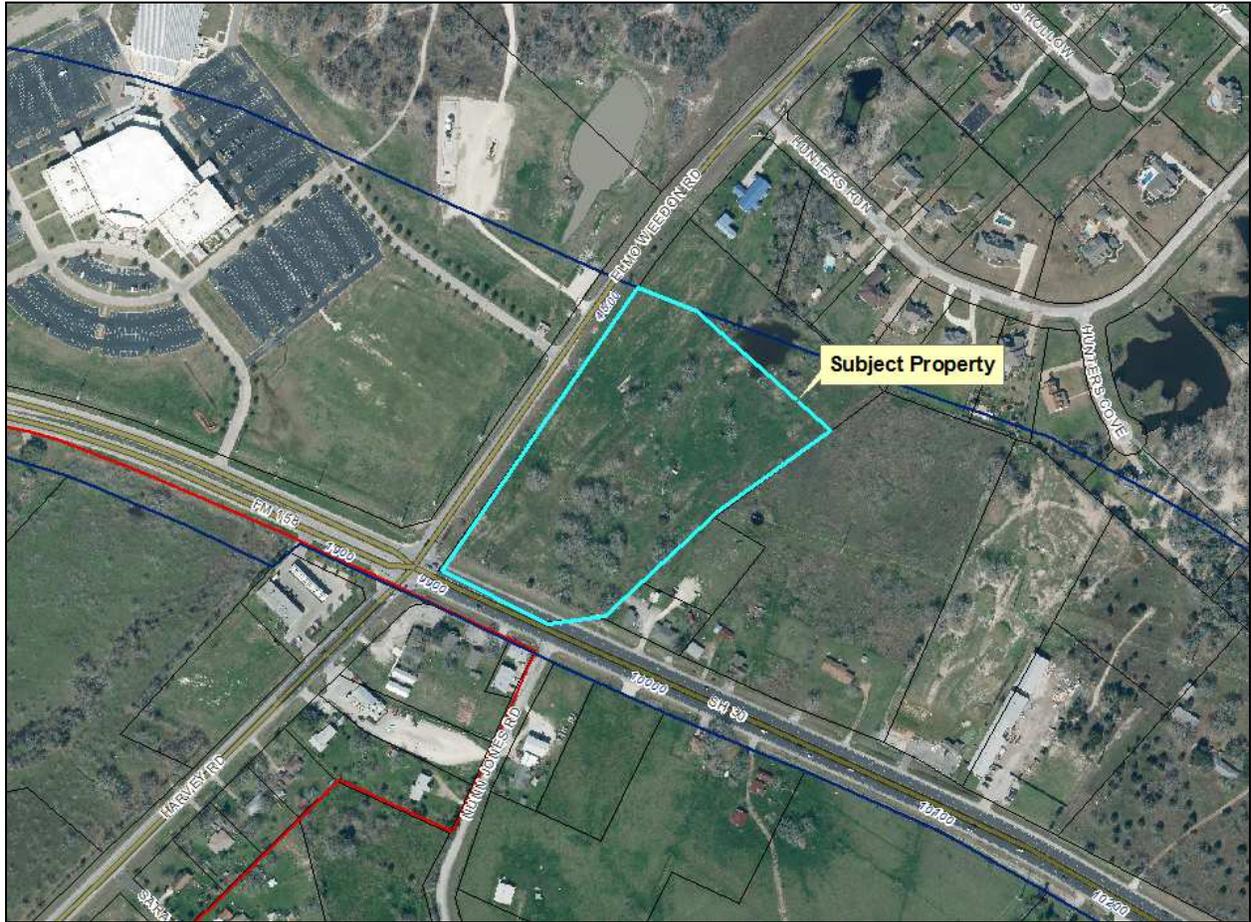
**APPLICANT(S):** Mr. Sam Trinh

**STAFF CONTACT:** Maggie Dalton, Staff Planner

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



**AERIAL PHOTOGRAPH (2013):**



**BACKGROUND:**

The subject property is 9.86 acres in size and part of an approximately 13 acre tract located at the northeast corner of Elmo Weedon Road and State Highway 30. The subject property is currently vacant and zoned Agricultural-Open District (A-O). A-O zoning surrounds the subject tract in three directions to the east, west and south, with the exception of a single lot to the southeast which is zoned Office District (C-1) and the location of a beauty salon. Land to the north is located in Bryan's extraterritorial jurisdiction (ETJ) and developed with single-family homes on 1+ acre lots in the Hunter's Creek Subdivision. There is approximately 200 feet of separation between the land for which C-2 zoning has been requested and residential home sites in Brazos County. To the west, across Elmo Weedon Road, lies the campus of Central Baptist Church.

The subject property has been zoned A-O District since its annexation to the City of Bryan on July 27, 1999. The applicant, Mr. Sam Trinh, proposes new retail business at this highly visible location at one of the main corridors into the City of Bryan.

The A-O zoning district is intended to provide a location principally undeveloped or vacant land situated on the fringe of an urban area and used primarily for agricultural purposes, but may become an urban area in the future. State Highway 30 has been developing with several commercial businesses in both the City of Bryan and the City of College Station's extraterritorial jurisdiction, which adjoins the south side of

Highway 30. The C-2 zoning classification is intended to provide opportunities 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.

The subject property lies within the FM158 Corridor Overlay District, which imposes higher development standards such as 75% non-metallic structures, the screening of utility equipment and open storage is prohibited. The purpose of the district is to exercise greater control over the aesthetic and functional characteristics of development along major thoroughfares, which serve as major entrances to the community where higher development standards can effectively enhance the city's image as a desirable place to live, work, and shop.

#### **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.

**The proposed change will allow retail development at a major intersection along a super arterial street, State Highway 30. Allowing C-2 zoning on the subject property will support orderly urban growth in this vicinity where neighboring properties are being developed or are currently developed with commercial and/or retail establishments. Staff believes that C-2 zoning on the subject property is compatible with anticipated surrounding land uses and existing development. The remaining surrounding properties are either vacant land or are developed as office businesses. Staff believes that proposed C-2 zoning on these 9.86 acres is appropriate in this particular environment and will offer the exposure which most retail trade requires while maintaining separation from existing residential use in Brazos County.**

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.

**The subject property adjoins State Highway 30 and Elmo Weedon Road which are classified on Bryan's Thoroughfare Plan as super arterial street and major collector street, respectively. These roads can be expected to be capable of accommodating traffic loads typically associated**

**with retail development on the subject property. Water services for any development at this location would be provided by the Wickson Creek Special Utility District.**

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 developments are developing at a slow to average 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.

**If the proposed zone change was approved, staff believes there to be few, if any, effects on other areas designated for similar developments. Many of the properties in the immediate vicinity are developed as commercial businesses, and several vacant parcels are available for future commercial development.**

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

**In this case, staff believes that the requested rezoning to C-2 District should have no adverse effects on adjacent properties. Staff contends that allowing a retail development at this location will create an orderly zoning pattern and allow for a useful diversification in land use intensities and orderly urban development in this vicinity.**

#### **RECOMMENDATION:**

Based on all these considerations, staff recommends **approving** the requested zone change to C-2 District on the subject property.