

**PLANNING AND ZONING COMMISSION  
STAFF REPORT**

**October 15, 2015**



**Rezoning case no. RZ15-17: State Highway 47 – Rebekah and Larry Armstrong**

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

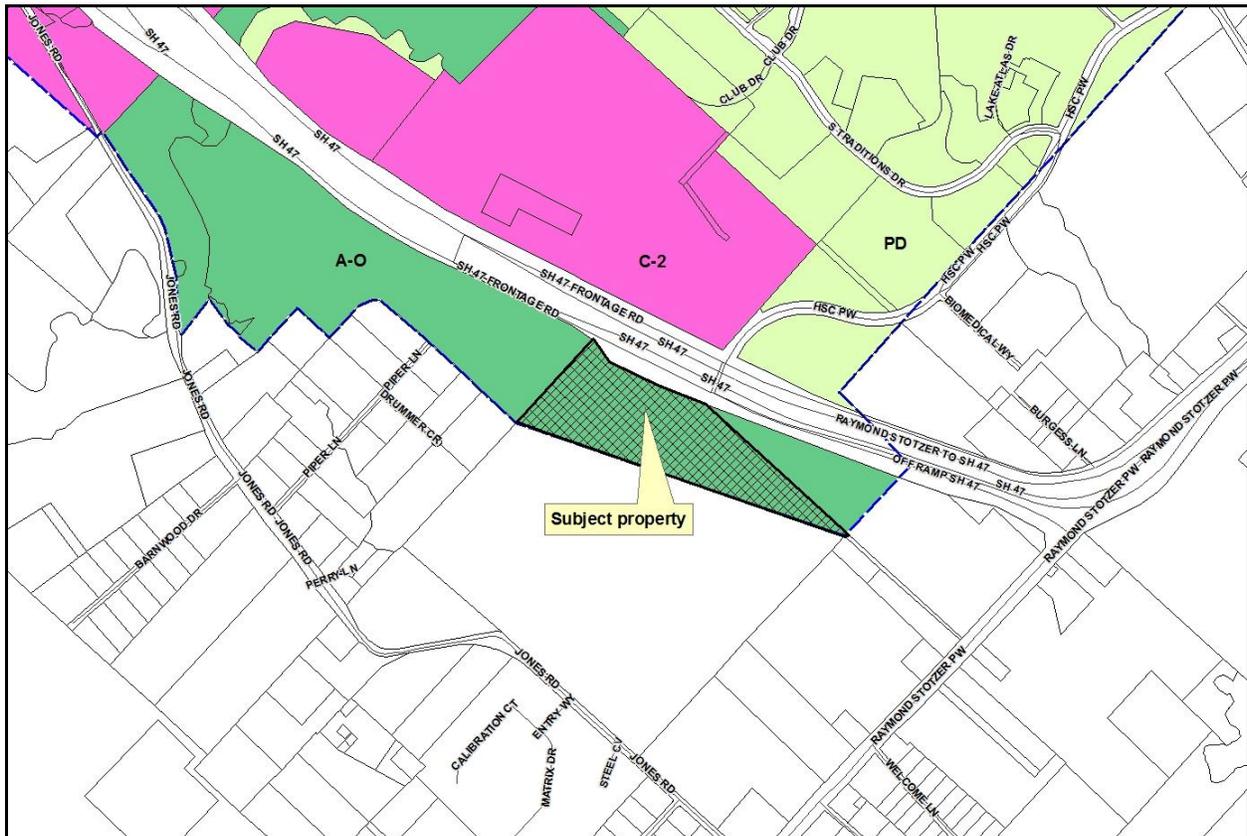
**LOCATION:** 42.59 acres of land out of John H Jones Subdivision, and adjoining the southeast side of State Highway 47 north from Raymond Stotzer Parkway

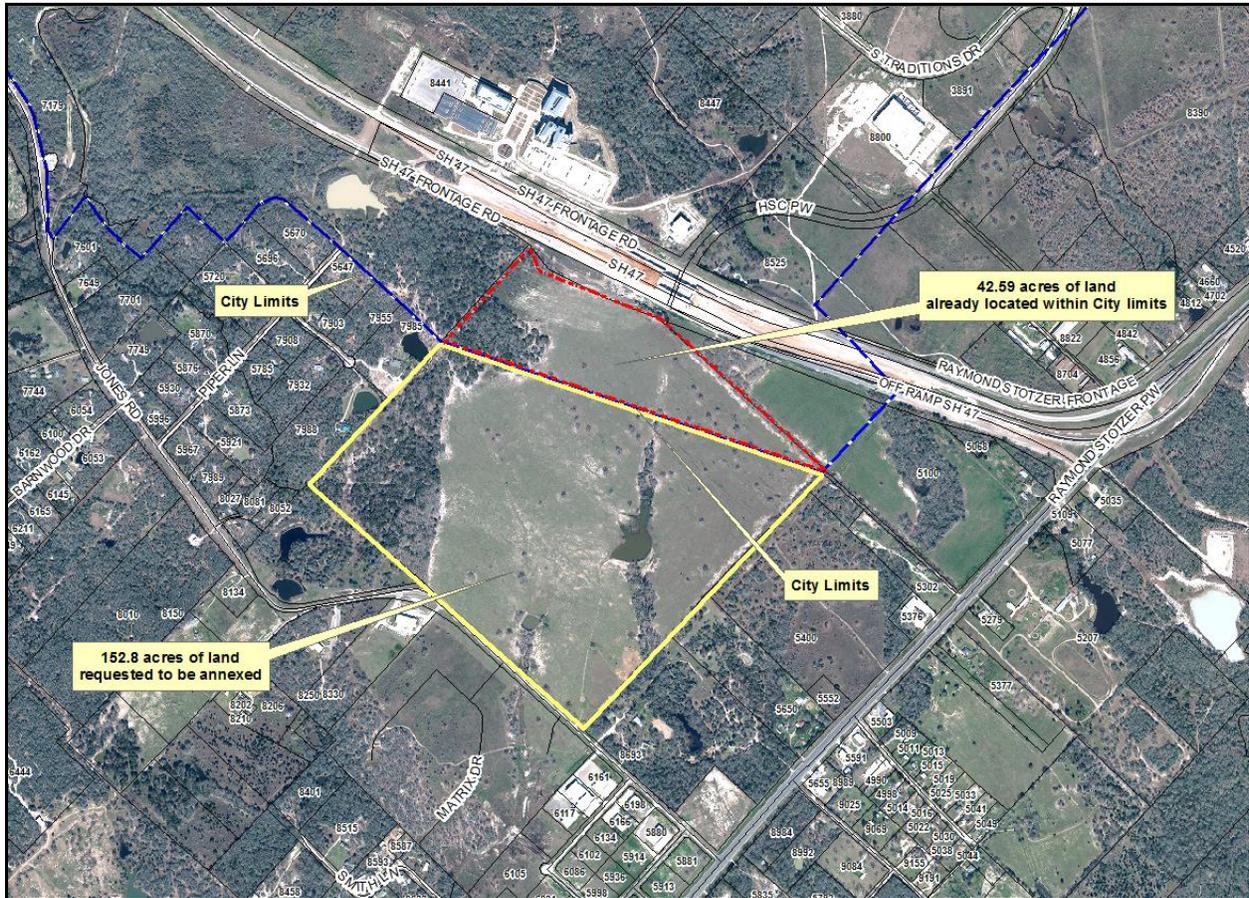
**EXISTING LAND USE:** vacant acreage

**APPLICANT(S):** Jones and Carter, Inc. – Adam Brumbaugh

**STAFF CONTACT:** Martin Zimmermann, AICP, Planning Manager

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





**BACKGROUND:**

Larry Wayne Armstrong and Rebekah O’Brien own 195.39 of land in southwest Bryan that adjoins the south side of Texas State Highway 47. The subject 42.59 acres have been in the city limits since July 27, 1999 and are currently zoned Agricultural – Open (A-O) District. Mr. Armstrong and Ms. O’Brien have requested that the zoning of these 42+ acres be changed to Retail District (C-2).

Earlier this year, Mr. Armstrong and Ms. O’Brien petitioned the City of Bryan to annex the remaining 152.8 acres of their property, which is currently vacant, and to establish Retail District (C-2) zoning on that property upon annexation. That request (case no. ANNEX15-03) was considered and recommended for approval by the Planning and Zoning Commission during its regular meeting on October 1, 2015 and is currently pending City Council consideration.

Land on either side of the subject 42+ acres is currently vacant and zoned A-O District. The Texas A&M Health Science Center campus is located to the north, across Highway 47.

The subject property lies within the SH47 Corridor Overlay District, which imposes higher development standards such as 100% 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 Highway 47, which serves as a major entrance to the community where higher development standards can effectively enhance the city’s image as a desirable place to live, work, and shop.

## COMPREHENSIVE PLAN:

The City of Bryan's Comprehensive Plan includes policy recommendations related to the various physical development aspects. Among the Plan's 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 in accordance with Zoning Ordinance Section 130-42(g).

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.

**Approval of this rezoning request and the annexation of 152+ acres, as requested, will create opportunity for development of general retail trade, business, and service uses on almost 200 acres of vacant land. The subject property lies across from the Texas A&M Health Science Center campus and the BioCorridor with access to the recently grade-separated intersection of State Highway 47 and HSC Parkway, classified as urban freeway and arterial street on Bryan's Thoroughfare Plan, respectively.**

**Bryan's adopted Comprehensive Plan is the framework for the establishment of zoning and other regulatory tools. The plan suggests that retail land uses should be located in areas that are at points of highest visibility and access and in close proximity to major intersections.**

**Few retail developments are currently being developed in this general vicinity and staff contends that an increased demand for land zoned for retail development can be expected in this area which is currently only sparsely developed with scattered residences and some commercial uses.**

**Staff believes that C-2 zoning on the subject property will offer the exposure which most retail trade desires and requires. In the future, there may be opportunity to extend the mixed-use BioCorridor concept along the south side of State Highway 47 onto the subject property.**

2. Whether there is availability of water, wastewater, storm water, and transportation facilities generally suitable and adequate for the proposed use.

**The subject property adjoins State Highway 47 which can be expected to be capable of accommodating traffic loads typically associated with retail development on the subject property. Existing City of Bryan water and wastewater mains will be available for point-of-use extension upon development, based on applicable utility extension policies and/or ordinances of the City of Bryan, now existing or as such policies and/or ordinances may be amended.**

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 entire 200+ acre Health Science Center campus to the north of the subject property, across State Highway 47 is zoned C-2 District and provides development opportunities for retail uses. 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.

**Few retail developments are currently being developed in this general vicinity and staff contends that an increased demand for land zoned for retail development can be expected in this area which is currently only sparsely developed with scattered residences and some commercial uses.**

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.**

6. Any other factors which will substantially affect the health, safety, morals, or general welfare.

**Staff is not able to discern any other factors that will substantially affect the health, safety, morals or general welfare. Allowing 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.