

PLANNING AND ZONING COMMISSION  
STAFF REPORT



October 20, 2016

**Rezoning case no. RZ16-19: Dalarm, LLC**

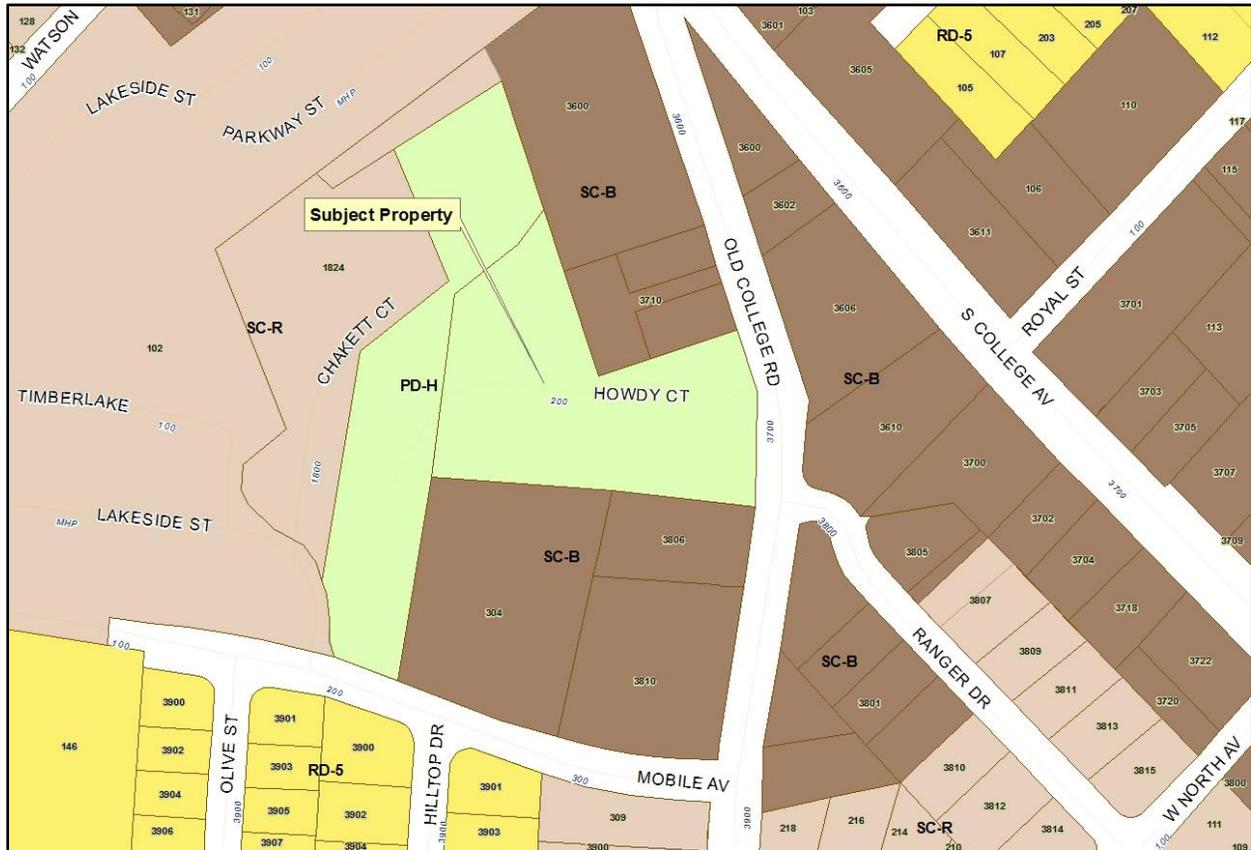
**CASE DESCRIPTION:** a request to amend the development plan of a Planned Development – Housing District (PD-H), specifically to amend the development standards for freestanding subdivision identification signage

**LOCATION:** 4.425 acres of land adjoining the west side of Old College Road between South College and Mobile Avenues, being Lots 2 through 19 as well as Common Areas 1 and 2 in Block 1 of North Campus Subdivision

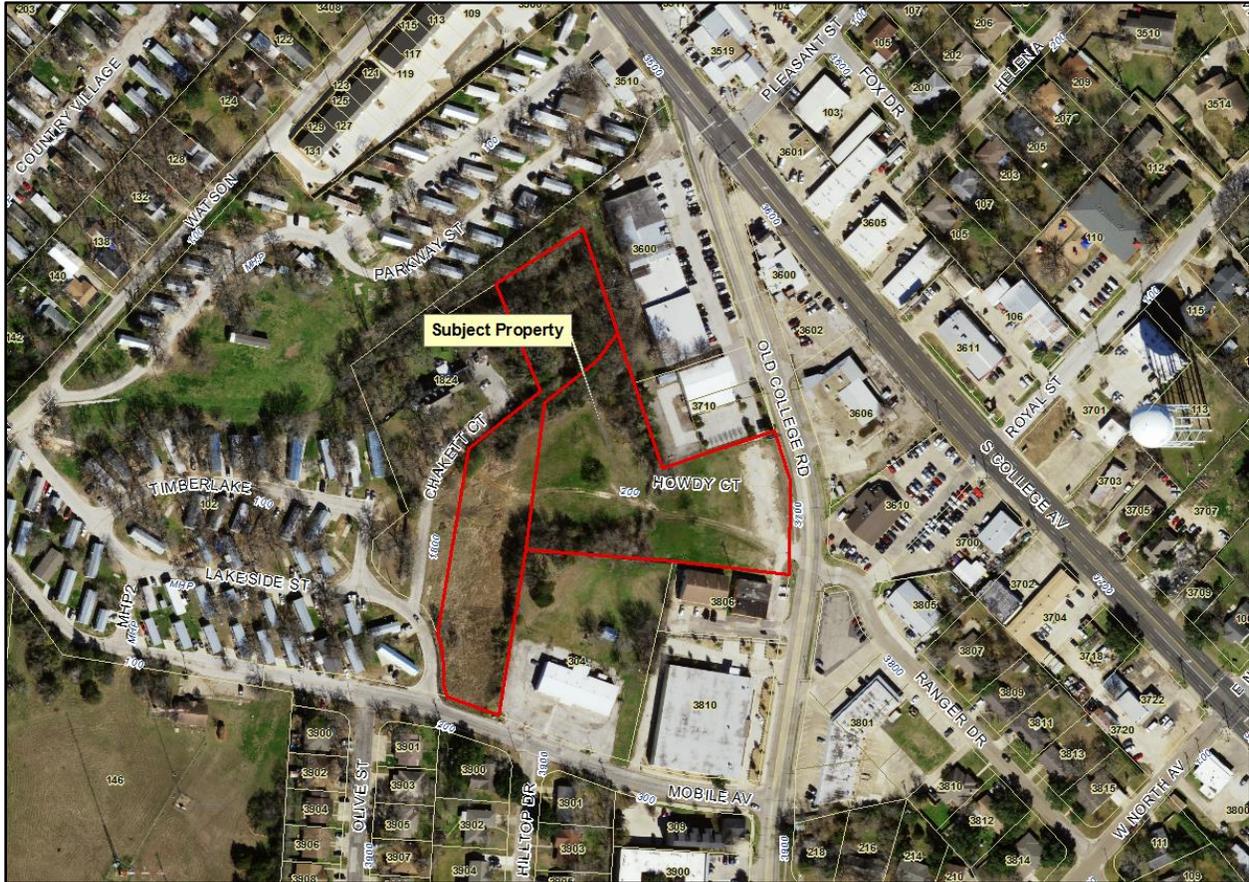
**PROPERTY OWNER:** Frank Dale of Dalarm, LLC.

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

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



**AERIAL IMAGE (2015):**



**BACKGROUND:**

The applicant, Frank Dale on behalf of Dalarm, LLC. owns these 4.425 acres and is developing a new residential subdivision here in accordance with the Planned Development – Housing (PD-H) development plan, which was approved by the City Council on August 4, 2015 (case no. RZ15-05). The PD-H development plan includes the development of 20 lots, 18 of which are proposed to be developed with four-bedroom homes. One lot will be developed with an amenity center and off-street parking and another lot will be utilized for required storm water detention. The final plat for this subdivision was approved by the Planning and Zoning Commission on November 19, 2015 (case no. FP15-20).

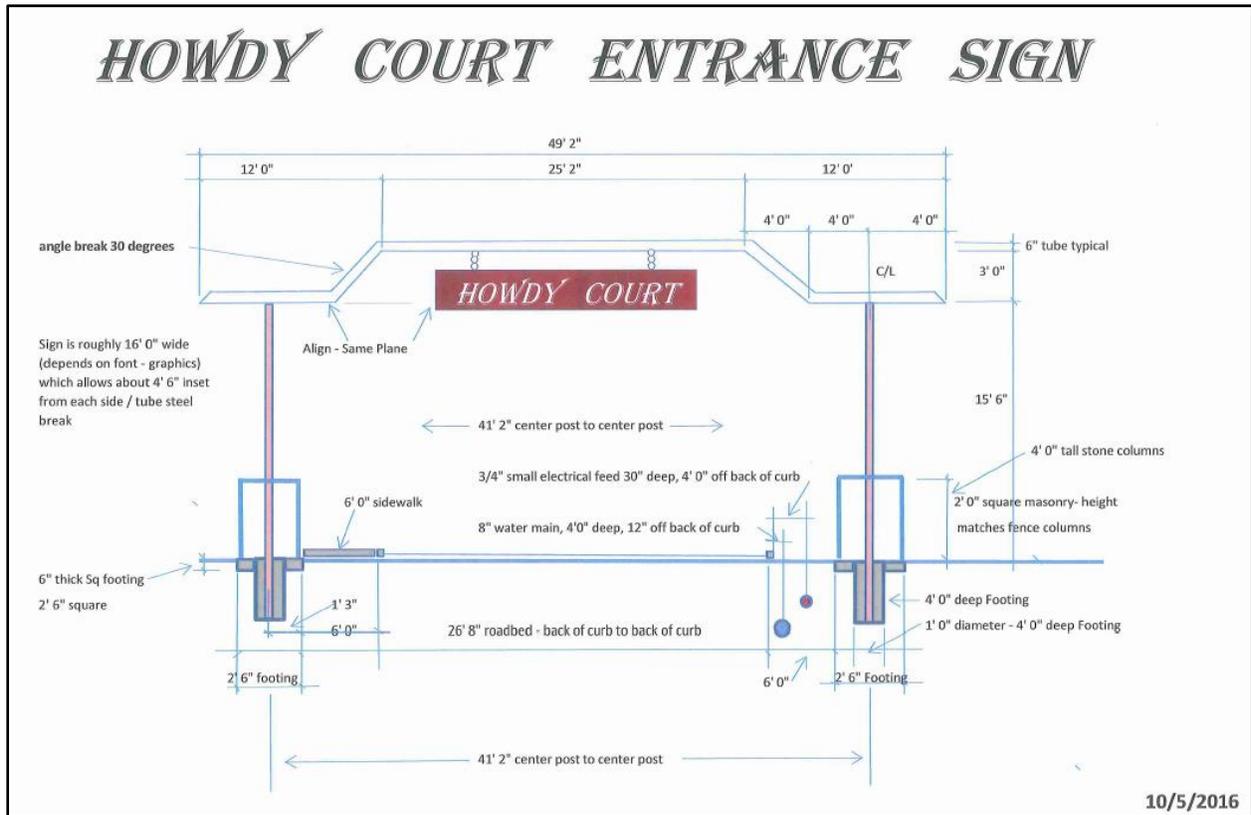
The easternmost portion of the subject property (nearest to Old College Road) is adjoined by properties to the north and south which are zoned South College Business District (SC-B). The property to the north is developed with commercial strip shopping center and properties to the south are currently occupied by a donation drop off location for Twin City Mission, an indoor self-service storage business, and a fraternal organization (Elks Lodge).

The westernmost portion of the subject property is adjoined by property to the west and north that is zoned South College Residential District (SC-R). While a majority of the neighboring property is developed as the Timberlake Mobile Home Park which consists of 114 manufactured home units, a portion (1.95 acres) of this area is currently being used developed as a fraternity house (Chi Phi). South of the subject property, across Mobile Avenue, properties are zoned Residential District – 5,000 and

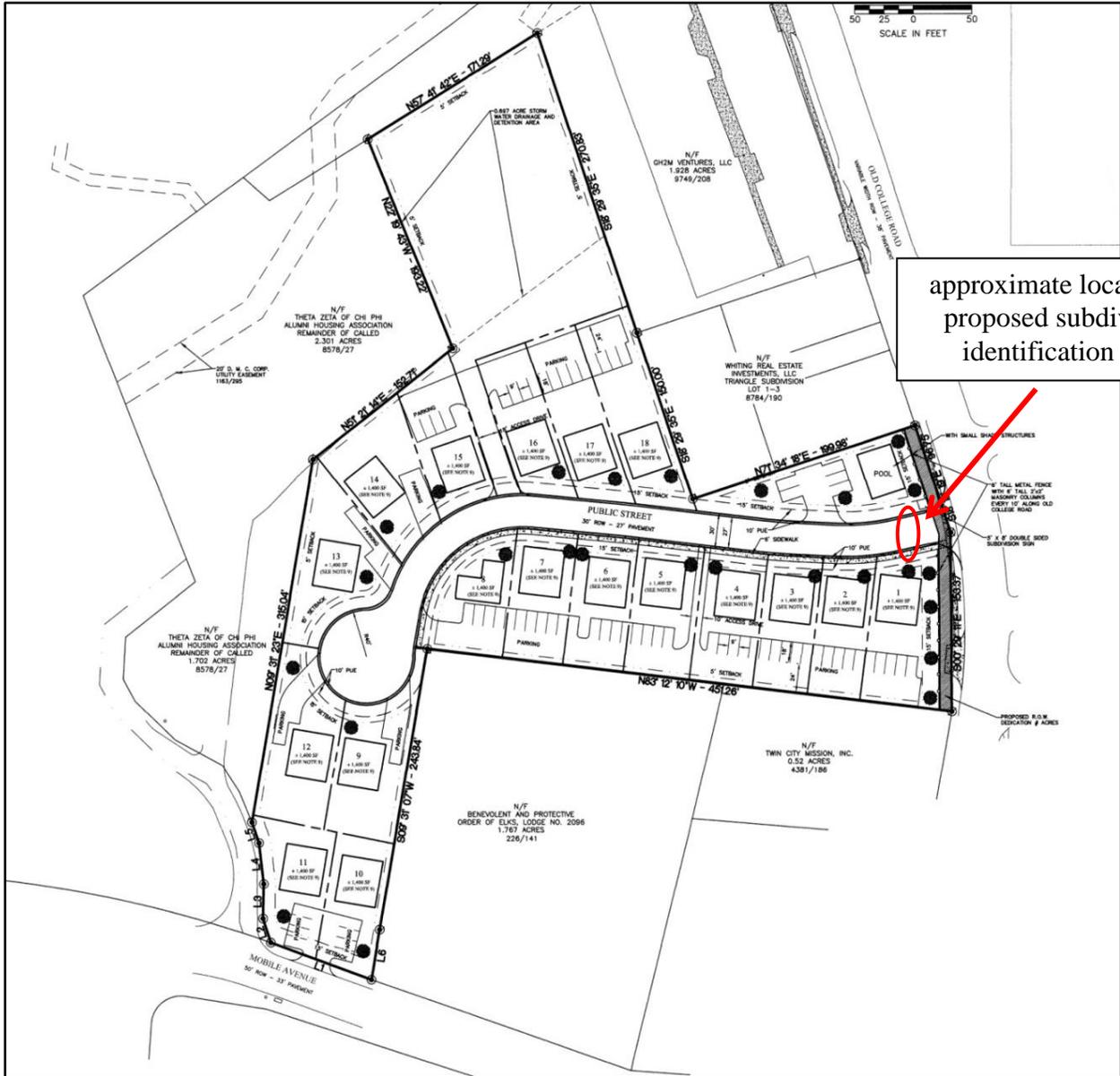
developed with single-family residential homes. East, across Old College Road, properties are zoned SC-B District and developed with restaurant uses (The Chicken Oil Company and J Cody's). A small retail strip shopping center is located southeast across Old College Road from the subject property.

The applicant is requesting to amend the PD-H development plan, to allow a freestanding subdivision identification sign to be installed that extends across the 30-foot wide street right-of-way for Howdy Court that leads into the subdivision. Section 2.9. of the current development plan addresses freestanding subdivision identification signage as follows: "One 5-foot tall by 8-foot wide freestanding subdivision sign shall be allowed near the intersection of the new public street and Old College Road. Any such sign shall comply with sight distance requirements of the Bryan Code of Ordinances."

The new sign is proposed to be located approximately 23 feet west from the subject property's property line adjoining Old College Road. The sign is proposed to have 15'6" of clearance and spans 16 feet wide. The sign support structure will be a steel tube of at least 6 inches in width and be anchored in 4-foot tall and 2-foot wide square masonry columns which are to be located on Lot 2 and Common Area 1 in Block 1 of North Campus Subdivision. The columns will match proposed fence columns that are planned to be installed along the subject property's eastern boundary, along Old College Road. The "Howdy Court" sign is proposed to be 1-foot 4 inches in height and 14 feet in width for a total sign area of 16 square feet.



**EXCERPT FROM CURRENT PD-H DISTRICT DEVELOPMENT PLAN:**



approximate location of proposed subdivision identification sign

**EXISTING CONDITIONS:**



**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 subject property lies along Old College Road which is identified as a major collector roadway on the City of Bryan’s Thoroughfare Plan. The property adjoins single-family residential use in the adjacent Timberlake Mobile Home Park as well as commercial uses developed on adjacent properties along Old College Road. The proposed amendment to the development plan is not proposing any changes to the uses allowed on the property, only to allow a freestanding subdivision identification sign to cross the local street, Howdy Court, that leads into the subdivision. Staff contends that the proposed entrance signage is appropriate in this particular case and can help create a “sense of place” to the 18-lot residential subdivision along this cul-de-sac.**

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 proposed change is to allow for freestanding subdivision identification signage and does not affect population density, and, therefore, will have no impact on public schools, streets, water supply, sanitary sewers, and other utilities in the area. Actual installation of the sign will require coordination with public water and electric utilities as those are located nearby the proposed sign location.**

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 approving this amendment to the PD-H zoning district at this location should not affect the developability of other properties in this vicinity or elsewhere in the city.**

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 is not aware of any other developments in the vicinity where single-family homes are built in a community-style specifically for college students.**

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 contends that other areas designated for similar development will be unaffected by the proposed amendment to the development plan. The adjacent parcels along Old College Road that remain zoned for commercial use should ultimately benefit from the increase in residential activity near their businesses.**

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

**Staff is unable to discern any other factors related to this rezoning request that will adversely affect health, safety, morals, or general welfare.**

In addition, the Planning and Zoning Commission shall not approve a planned development if it finds that the proposed planned development does not conform to applicable regulations and standards established by Section 130-125 of the Zoning Ordinance:

1. Is not 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, within the standards established by this section.

**The proposed amendment only addresses freestanding subdivision identification signage and does not propose any changes to the allowed uses within the PD-H zoning district. Staff believes that the proposed “Howdy Court” entrance sign is compatible with existing and permitted uses on abutting sites.**

**To the north of the subject property there exist a freestanding billboard sign and a sign advertising the Chicken Oil Company restaurant that is significantly larger than the proposed signage of this request. The applicant is proposing a sign that shall not exceed 1-foot 4 inches in**

**height and 14 feet in width for a total sign area of 16 square feet. Additionally, the proposed sign's roadway clearance will exceed the Texas Department of Transportation regulations. Staff believes the proposed entrance sign will be compatible with uses on adjacent sites and will not impede access and circulation.**

2. Potentially creates unfavorable effects or impacts on other existing or permitted uses on abutting sites that cannot be mitigated by the provisions of this section.

**Staff contends that the proposed amendment to the development plan will not create unfavorable effects or impacts on existing or permitted uses on abutting sites. Furthermore, the amendment only addresses the type of signage allowed on the property and does not propose any changes to the allowed uses within the PD-H zoning district.**

3. Adversely 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.

**Staff contends that the proposed amendments to the development plan will not adversely affect the safety and convenience of vehicular and pedestrian circulation in the vicinity.**

4. Adversely affects traffic control or adjacent properties by inappropriate location, lighting, or types of signs.

**Staff finds that the features of the amendment to the development plan reasonably protect adjacent properties from negative impacts from lighting and signage types. The proposed overhead sign will not be animated or have an electronic message board.**

5. Fails to reasonably protect persons and property from erosion, flood or water damage, fire, noise, glare, and similar hazards or impacts.

**Staff finds that the existing City of Bryan site development standards will protect adjacent properties from the negative impacts of erosion, flood or water damage. As part of this amendment, the owner will execute a legal document, which indemnifies, defends and holds harmless the City of Bryan from any and all claims and liability arising out of the use of public right-of-way for the proposed subdivision identification signage. The owner, furthermore, will have to provide liability insurance, which, if not kept in effect, will require the removal of the sign.**

#### **RECOMMENDATION:**

Based on all of aforementioned considerations, staff recommends **approving** this request.