

September 1, 2016

Rezoning case no. RZ16-15: E&F Development

CASE DESCRIPTION: a request to change the zoning classification from Agricultural – Open District (A-O) to Multiple-Family Residential District (MF)

LOCATION: 6.17 acres of land adjoining the northeast side of State Highway 47, approximately 1,500 feet to 1,900 feet southeast of its intersection with West Villa Maria Road

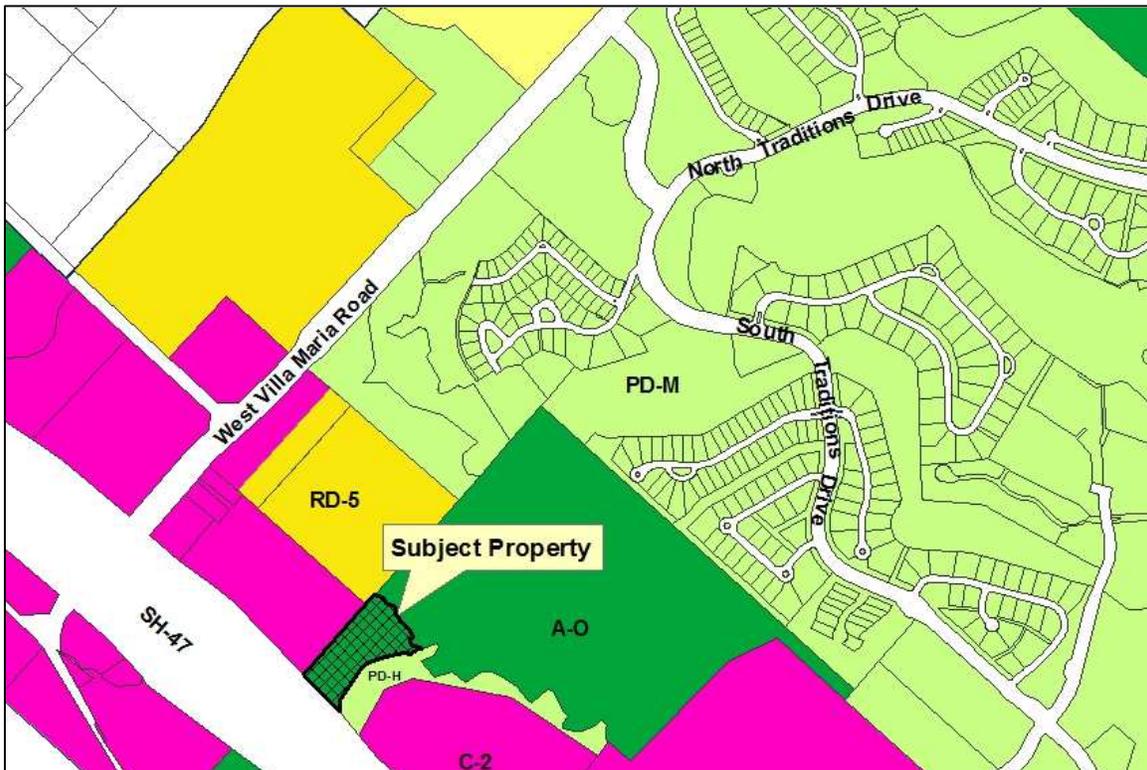
EXISTING LAND USE: vacant land

PROPERTY OWNER: E&F Development, Hartzell B. Elkins

APPLICANT/AGENT: Jeremy Peters – Gessner Engineering

STAFF CONTACT: Randy Haynes, AICP, Senior Planner

SUMMARY RECOMMENDATION: Staff recommends **approval** of the proposed rezoning.





BACKGROUND:

The vacant 6.17-acre subject property is currently zoned Agricultural – Open District (A-O) and adjoins the northeast side of State Highway 47, approximately 1,500 feet to 1,900 feet southeast of its intersection with West Villa Maria Road. The applicant, Jeremy Peters of Gessner Engineering, is requesting to change the zoning classification of the subject property from A-O District to Multiple-Family Residential District (MF), to facilitate a land transfer and allow for the development of multiple-family residential units at this location.

Northwest and southeast of the subject property, land is zoned Retail District (C-2). To the north lies a 27-acre parcel zoned Residential District – 5000 (RD-5) and northeast lie 86 acres of undeveloped land also zoned A-O District, beyond which is The Traditions Subdivision.

Directly adjacent to the southeast boundary of the subject property is a 7.5-acre remnant of a much larger (82-acre) Planned Development – Mixed Use District (PD-M) called Whispering Hills. The ordinance establishing the zoning for Whispering Hills was passed and approved by the City Council in 2005, but the project was never realized. The property was sold in 2007 to Bryan Commerce and Development Inc.; the economic development arm of the City of Bryan. The purchase of the land by the City was a key component of arrangement that led to the establishment of the A&M Health Science Center in Bryan. The zoning of this 7.5-acre remainder tract will ultimately need to be amended prior to future development.

The subject property lies within the SH 47 Corridor Overlay District which supplements the standards of the underlying zoning district, to exercise greater control over the aesthetic and functional characteristics of development. The intent of higher development standards is to enhance the City's image as a desirable place to live, work, and shop.

RELATION TO BRYAN'S COMPREHENSIVE PLAN:

The City of Bryan Comprehensive Plan is the framework for the establishment of zoning and other regulatory tools. The current plan was adopted in 2007, just prior to the establishment of the A&M Health Science Center's (HSC) Bryan campus; consequently, there are no plan recommendations that consider the impact of the HSC with regard to area land use.

The Comprehensive Plan includes policies and recommendations related to the various physical aspects of the community. These aspects are supported by a set of goals and objectives. The Planning and Zoning Commission shall consider the following when making its recommendation regarding this proposed zoning change:

GOAL #2: FACILITATE ORDERLY, EFFICIENT AND ATTRACTIVE DEVELOPMENT, REDEVELOPMENT AND INFILL.

Objective A: Provide for an efficient development process.

- Sustainable Mix of Land Uses - The Comprehensive Plan specifically refers need to locate land suitable for future residential and commercial uses.

Use-Specific Land Use Policies

High Density Residential land will predominantly consist of housing types such as apartments but may consist of other housing types as long as densities are high, ranging from 9 to 24 dwelling units per acre. These uses should be located in areas that are:

- Along collector or arterial streets at mid-block locations, where appropriate.

Regional Retail land serves as a commercial resource for the greater metropolitan area and generates vital sales and ad valorem income. These uses should be located in areas that are:

- At points of highest visibility and access; and
- In close proximity to major intersections (freeway/expressways and freeways, freeways and major arterials, and major arterials and major arterials).

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 between two parcels of land zoned for retail use directly adjacent to SH 47 and less than a half mile from the HSC. The land use policies adopted in 2007 recommend that land in locations of high visibility along freeways and super arterials be reserved for regional retail use. The 2007 Comprehensive Plan also states that higher density residential uses would be appropriate along arterial roadways at mid-block locations.

Staff contends that the proposed change in zoning classification is appropriate at this location due to its mid-block location and the presence of land zoned for retail use on either side along SH 47. The subject tract lies a quarter mile from the intersection of SH 47 and West Villa Maria Road and a mile from the intersection of SH 47 and HSC Parkway. Staff predicts that allowing multi-family residential development on the subject property will serve to meet a probable increase in demand for housing in the area of the HSC, while at the same time creating a more sustainable business environment for restaurants and retailers that will potentially locate on either side of the subject tract.

In addition to the factors listed above, the physical form of the subject property creates the opportunity for natural, open space buffers between residential development and adjacent retail uses. The land rapidly slopes from the northwest to the south east, falling between 12 feet and 22 feet over a distance of about 300 feet. The southern edges of the property are bound by deep channels of tributaries of Turkey Creek which fall another 10 – 15 feet. These creek channels are heavily wooded. The opportunity exists to incorporate these natural barriers to development as a screening / buffer amenity to separate the adjacent dissimilar land uses.

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.

There is adequate public infrastructure capacity to support the level of development that is proposed. The subject property is served by an existing 42-inch public wastewater main. The capacity for water service exists in the area, however the nearest suitable water line lies 2,000 feet northwest at the intersection of West Villa Maria Road and SH 47. Water service, along with other infrastructure, such as, storm sewer and electrical services will be extended as development of the subject property occurs.

SH 47 is classified as a freeway on the City of Bryan Thoroughfare Plan but currently functions as a limited access super arterial. The capacity of SH 47 is more than adequate to handle any increase in traffic that would occur as the result of multi-family residential development on this 6-acre tract.

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.

There is very little vacant land currently classified for similar development available in Bryan. The 71-acre Atlas, Texas planned development district is located approximately one mile east of the subject tract and allows for multiple-family residential development. The next nearest vacant land zoned to accommodate multiple-family residential development lies 3 miles northeast of the subject property between North Harvey Mitchell Parkway (FM 2818) and Wellborn Road. Staff is unaware of special circumstances that would make that land unavailable for development. Staff believes that this zone change request, if approved, will not make land classified for similar development in the vicinity or 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 finds that multiple-family residential development is occurring at a very brisk rate in Bryan. In 2012, a 240+ unit apartment complex was built at the intersection of HSC Parkway

and Atlas Pear Drive approximately a mile east of the subject tract. Three years later the second phase of that project began adding an additional 156 units. Similarly, from a city-wide, perspective, development of new multiple-family development is also occurring at a brisk rate.

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.

As stated above, multiple-family residential development is brisk but vacant land classified for such development is scarce. Although this appears to be the case, staff contends that even if the proposed change in zoning classification from A-O District to MF District is approved, there is no need to modify the zoning designation for other areas designated for similar developments. Staff contends that the process of development in Bryan is very efficient and the market will dictate the need for such zoning changes to accommodate additional development.

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 change in zoning classification for these 6.17 acres from Agricultural-Open District (A-O) to Multiple-Family Residential District (MF). The proposed multiple family residential land use on this property appears to be consistent with the recommendations of the Bryan Comprehensive Plan and will help promote orderly urban growth along this important corridor.