

**PLANNING AND ZONING COMMISSION
STAFF REPORT**



June 4, 2015

Rezoning case no. RZ15-05: Bona Fide Acquisitions, LLC

CASE DESCRIPTION: a request to change the zoning classification from a combination of South College – Business District (SC-B) and South College – Residential District (SC-R) to Planned Development – Housing District (PD-H)

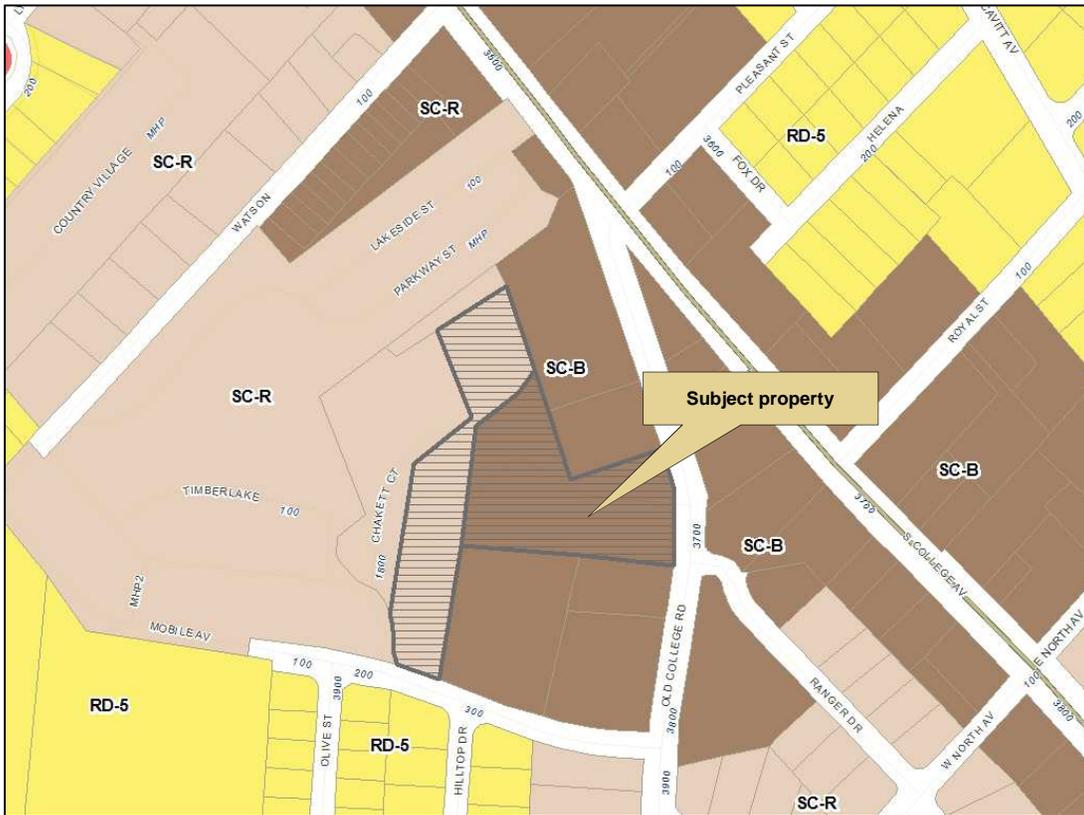
LOCATION: 4.425 acres of land out of the J.E. Scott League, A-50, adjoining the west side of Old College Road between South College and Mobile Avenues

PROPERTY OWNER(S): Bona Fide Acquisitions, LLC

APPLICANT(S): Justin Whitworth

STAFF CONTACT: Matthew Hilgemeier, Staff Planner

SUMMARY RECOMMENDATION: Staff recommends **approving** the requested zoning change.



BACKGROUND:

The applicant/property owner, Justin Whitworth of Bona Fide Acquisitions, LLC has assembled ownership of the subject property which consists of currently two lots totaling 4.425 acres in size. Mr. Whitworth is requesting to change the zoning classification from a combination of South College – Business District (SC-B) and South College – Residential District (SC-R) to Planned Development – Housing District (PD-H) in order to be able to develop a single-family residential subdivision with 18 lots ranging in size from 5,425 square feet to 8,312 square feet at this location.

The subject property is located in the South College Corridor Overlay District and consists of two lots, with the easternmost 2.375 acres along Old College Road being zoned SC-B District, and the westernmost 2.05 acres, generally north of Mobile Avenue, being zoned SC-R District. The front 2.375 acre lot along Old College Road is adjoined by properties to the north and south which are also zoned SC-B District. 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 remaining 2.05-acre portion of the subject property is adjoined by property to the west and north that is also zoned 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.



Both lots have remained undeveloped since the City adopted the South College zoning classifications in 2004. Prior to the adoption of the South College Districts, these properties were zoned for residential use.

In 2012, the Planning and Zoning Commission approved a Conditional Use Permit request to allow a 48 unit multi-family development on this property (case no. CU12-12). That request had been made by a previous owner for the front portion of the property along Old College Road. That project, however, never materialized. Since then, property ownership has changed and the new owner/applicant is interested in developing the subject property with single-family homes. Mr. Whitworth, is a local home builder who specializes in developing single-family housing units marketed towards the student population of Bryan and College Station.

The proposed development (“North Campus Subdivision”) will consist 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. While none of the proposed lots are smaller than the standard 5,000 square feet size typically required for single-family residential lots in Bryan, due to the irregular shape of the overall subject property and the desire of the applicant to maximize development opportunities, lot widths and lot depths are proposed to vary from the standard 50-foot by 100-foot requirement.

Single-family residential uses are allowed in the SC-B District with prior approval of a Conditional Use Permit from the Planning and Zoning Commission. The applicant and staff have been discussing the proposed development for several months and agreed that developing single-family residential use in a PD-H District here at a higher density is not only desirable but also supported by standard land use principles articulated in the Comprehensive Plan. Due to the overall configuration of the subject property, if all lots were developed to the City of Bryan’s standard lot dimensions required for single-family residential lots, only 11 and not 18 residences could be built here.

PROPOSED PD-H ZONING:

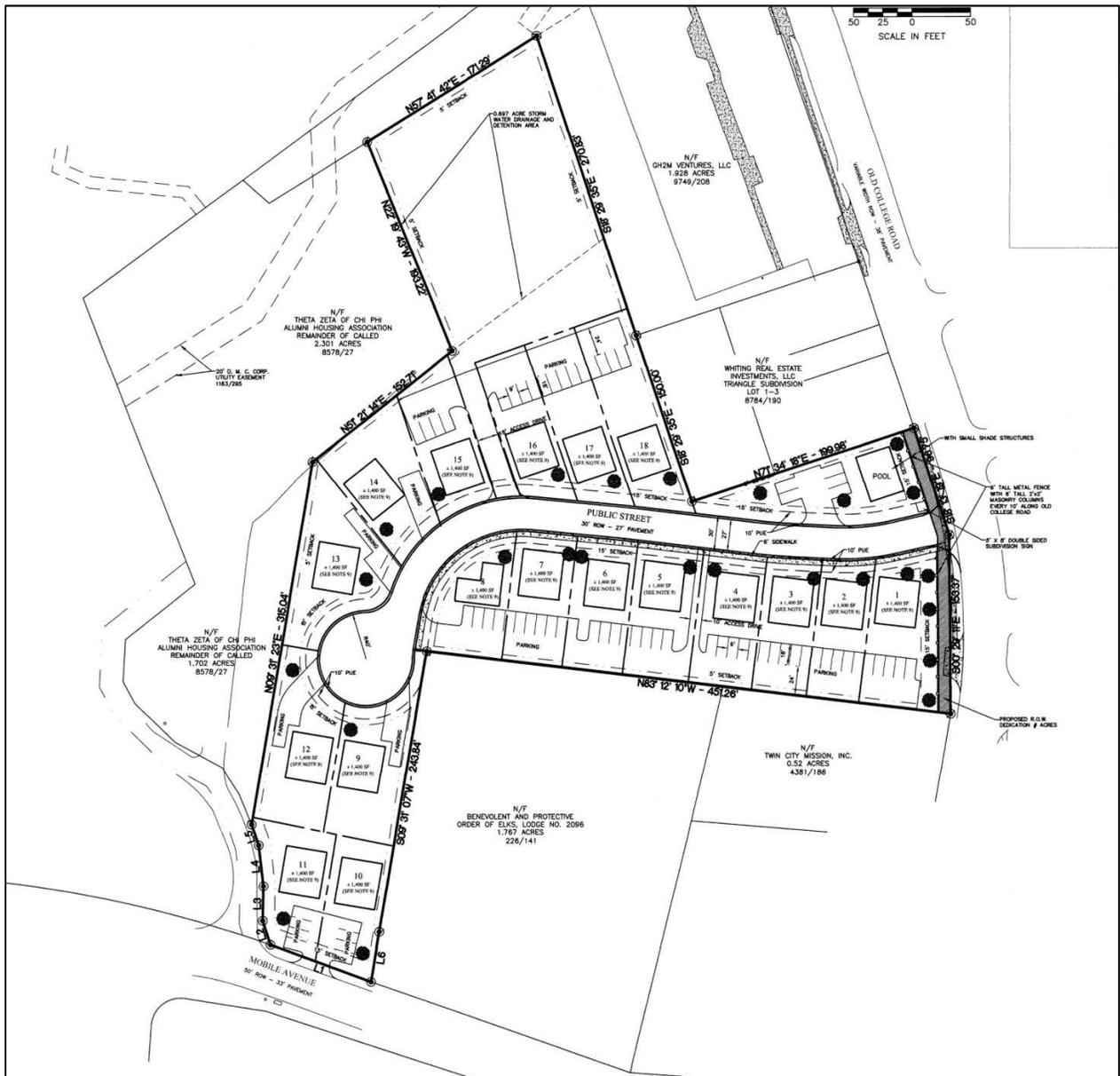
The proposed development plan would allow the construction of 18 new single-family structures on lots varying in size from 5,425 square feet to 8,761 square feet. The minimum allowed lot width for this proposed subdivision is proposed to be 45 feet width; with a minimum lot depth of 30 feet. In an effort to bring the proposed structures as close to the new local street, proposed to extend west from Old College Road, as possible and to provide room for off-street parking to the rear of the new homes, public right-of-way in this subdivision is proposed to be only 30-feet wide instead of the typical 50 feet. These modified lot standards will allow the applicant to have adequate room for off-street parking to the rear of the structures for Lots 1 through 8 and Lots 15 through 18. The desired intent to install parking in the rear of the properties is the creation of a pedestrian-friendly environment along this small street, while still providing an area for a back yard/open space on each property. Due to their configurations, Lots 9 through 13 are proposed to have off-street parking areas located in front of structures. Lots 10 and 11 will have a shared driveway due to their proximity to Timberlake Drive which serves the adjacent mobile home park.

Other features of the proposed development are:

1. An amenity center with additional off-street parking in a common area along Old College Road (Common Area 1) will be available for residents and their visitors to reduce the need for on-street parking.

2. A 6-foot wide sidewalk will be provided on only one side of the street, as shown on the development plan and is proposed to be adjacent to the street curb to provide more green space in front of homes.
3. On-street parking is will be prohibited along Common Area 1 and adjacent to Lots 13 through 18.
4. One 3-inch caliper canopy tree will be installed in the front yard of each lot and a minimum of 2 trees in Common Area 1.
5. Six 3-inch caliper trees will be installed along the property line adjacent to Old College Road.
6. A 6-foot high wrought iron fence will be constructed along Old College Road with masonry columns spaced at 10-foot intervals.
7. The front of homes facing the new public street shall be offset by a minimum of 2 feet, either closer to, or further away from the street, than the home on adjacent lot(s), to help break the visual plane of the street.

PROPOSED DEVELOPMENT PLAN



PROPOSED DEVELOPMENT REQUIREMENTS/PERMITTED USES:

General Purpose and Description.

The North Campus Subdivision is proposed to be a single-family residential development with detached dwelling units for student living. It is intended to have a higher density than a typical single-family development with detached units. In order to achieve the higher density the reduced setbacks for the South College Zoning Districts will be utilized as well as lots with less than a 50' width.

Permitted Uses:

- Single-family detached dwelling units
- Accessory structures (<120 sq. ft.)
- Open space/storm water detention area
- Common area with a minimum of 5 off-street parking spaces and amenities (e.g., private recreational center, swimming pool, game room, or similar facility).

Conditional Uses:

- None

Other Regulations:

1. Lot Dimension and Building Setbacks
 - a. Minimum lot size = 5,000 square feet
 - b. Minimum lot depth = 30 feet
 - c. Minimum lot width = 45 feet
 - d. Front Building Setback = 15 feet*
 - e. Side Building Setback = 5 feet*
 - f. Side Street Building Setback = 10 feet*
 - g. Rear Building Setback = 5 feet*

(* same as in South College Districts)

2. The minimum width for public street right-of-way shall be 30 feet.
3. A 6-foot wide sidewalk shall be provided on only one side of the street as shown on the development plan and shall be located adjacent to the street curb.
4. No on-street parking shall be allowed adjacent to Common Area 1 and Lots 13 through 18.
5. Lots 1 through 8 and 15 through 18 shall have off-street parking to the rear of the detached dwelling units.
6. One 3-inch caliper canopy tree shall be installed in the front yard of each lot prior to the issuance of a Certificate of Occupancy, and a minimum of two such trees shall be installed in Common Area 1 prior to the recording of any final plats for this subdivision.
7. Six 3-inch caliper trees shall be installed along the property line adjacent to Old College Road (not including the two trees required by no. 6 above).
8. A 6-foot high wrought iron fence shall be constructed along the property line along Old College Road with 2-foot by 2-foot wide and 6-foot tall masonry columns spaced at 10-foot intervals.
9. 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.
10. The property shall be developed in accordance with the attached development plan.

11. Unless otherwise specified in the approved development plan the minimum requirements for the development shall be those stated in the requirements of the South College – Residential District.

RELATION TO BRYAN’S COMPREHENSIVE PLAN:

The City of Bryan adopted the Comprehensive Plan Update in 2007. The plan is the framework for the establishment of zoning and other regulatory tools. The current 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:

- Sustainable Mix of Land Uses - The Comprehensive Plan specifically refers need to locate land suitable for future residential and commercial uses.
- Infill - Bryan has a large inventory of parcels that were bypassed by development and remain undeveloped to this day. Since these parcels almost always have access to existing utilities, their development saves the cost of extending water and sewer service. Building within the urban core also lessens the number of vehicle trips that burden our thoroughfares. Infill was also seen as a way to revitalize older residential areas and was a topic of discussion at several public input venues.

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. While there are commercial uses developed on adjacent properties along Old College Road, the subject property has limited frontage on Old College Road making it difficult to find a commercial user, which is, perhaps, why this tract has remained undeveloped to date. In addition, there appears to be little to no demand for new commercial developments in the immediate area. Staff contends that due to the odd configuration of the subject property and due to an increasing demand for new housing within a 2-mile radius of Texas A&M University and Blinn College, the proposed change in zoning classification to allow a single-family residential subdivision at this location would be the most appropriate use for this property. The proposed development also appears to conform to land use recommendations of the Comprehensive Plan, which suggest the suitability of higher density residential uses located between commercial uses and residential uses of lower density, to provide a useful transition in land use intensities.

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 Old College Road, a major collector roadway, which can be expected to be capable of accommodating the traffic load associated with an additional 18-unit

residential development. Due to the subject property's proximity to Texas A&M University, and the existence of pedestrian facilities along Old College Road, it can be reasonably expected that some residents will use these facilities to travel to and from campus. None of the proposed lots will take direct access to Old College Road. The subject property has ample access to water and sewer line along Old College Road and will provide necessary fire protection to serve the area.

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 subject properties remain some of the only land the South College Corridor that are as of yet undeveloped. Recently, there has been some residential development in the vicinity of the subject property. The first phase of the Watson Lane Townhome development (13 townhome units) was approved by the Planning and Zoning Commission in 2013 and completed in 2014. The second phase of that development, consisting of 8 additional units was approved in 2015 and will begin construction this summer. City-wide, there is a moderate supply of vacant or underdeveloped property zoned for residential use available.

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.

In the last 5 years, there has been an increased demand for single-family style student housing options located in proximity to Texas A&M University and Blinn College. More specifically, there is an increased turnover in single-family neighborhoods within a one-half mile radius of Texas A&M campus from owner-occupied to rental housing. This proposed PD-H District may help serve to meet that demand and could reduce some of the pressure on land owners to convert owner-occupied housing in neighborhoods to rental housing, thereby preserving the character and integrity of some of Bryan's older, established neighborhoods.

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 zoning change. 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. Again, this proposed development aims to meet the demand for student housing options that are not located within established owner-occupied neighborhoods.

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

Negative factors not addressed by the proposed development plan have not been identified.

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.

Staff believes that the proposed residential use is compatible with existing land uses that are already established in the area. All proposed lots exceed the standard minimum 5,000 square foot lot size requirement and will provide adequate off-street parking. The maximum building height allowed will be 35-feet, which is the maximum height for detached single-family structures allowed in other residential districts of Bryan.

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 development, other than an increase in desirable resident traffic, will not create unfavorable effects or impacts on existing or permitted uses on abutting sites.

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 development will not adversely affect the safety and convenience of vehicular and pedestrian circulation in the vicinity. While the proposed single-family subdivision at this location will increase the flow of traffic at various times, Old College Road being a major collector roadway, can reasonably be expected to accommodate traffic loads typically associated with the proposed single-family residential use. Again, due to the existence of pedestrian facilities along Old College Road and then along College Main, it can be reasonable expected that residents will use these facilities to travel to the Texas A&M Campus.

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

Staff finds that the features of the proposed development plan reasonably protect adjacent properties from negative impacts from lighting. A maximum 40-square foot subdivision sign is proposed at the entrance of this development, which is 20 square feet smaller than what would be allowed if the property were to develop for commercial uses under the current SC-B District standards.

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. Staff further finds that the features of the proposed development plan reasonably protect adjacent properties from noise, glare and similar impacts.

RECOMMENDATION:

Based on all of aforementioned considerations, staff recommends **approving** the proposed Planned Development – Housing District (PD-H).