

**PLANNING AND ZONING COMMISSION
STAFF REPORT**



November 19, 2015

Rezoning case no. RZ15-23: Walthall Holdings, LLC

CASE DESCRIPTION: a request to change the zoning classification from Agricultural – Open District (A-O) to Commercial District (C-3)

LOCATION: 2.547 acres of land out of the Marino Estates HWY 21 E subdivision, adjoining the northwest side of East State Highway 21 between Cross Wind Drive and Marino Road currently addressed as 6083 E State Highway 21 Bryan, Brazos County, Texas.

EXISTING LAND USE: Catholic Diocese of Austin

PROPERTY OWNER(S): Ron Walker

APPLICANT(S): Walthall Holdings, LLC – Carl Walthall

STAFF CONTACT: Stephanie Doland, Staff Planner

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



AERIAL VIEW (2015)



BACKGROUND:

The applicant, Carl Walthall of Walthall Holdings, LLC, is requesting to change the zoning classification on these 2.547 acres of land from Agricultural – Open District (A-O) to Commercial District (C-3). The subject property has been zoned A-O District since the City of Bryan adopted zoning regulations on December 11, 1989. The subject property is currently developed with approximately 6,100-square foot church building, a 1,200-square foot home, two small accessory structures, and a parking pad capable of accommodating approximately 35 vehicles.

The adjacent property located to the northeast is zoned A-O District and is currently utilized for real estate purposes. The adjacent property to the south is also zoned A-O District and is currently utilized as an insulation contractor business. Properties located across State Highway 21, southeast from the subject property, include a veterinary clinic and single-family homes. The request was made to facilitate the proposed sale of the long-vacant church property to an HVAC contractor business.

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. Over the years, this portion of State Highway 21 (SH 21) has been developing and redeveloping with a mix of residential and commercial uses.

The C-3 zoning classification is intended for heavy retail and commercial uses of a service nature which typically have operating characteristics or traffic service requirements of retail or shopping, but generally not with residential environments. There are existing C-3-zoned properties located directly adjacent to the subject property across SH 21 which are occupied by commercial uses.

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 of the community. These aspects are supported by a set of goals and objectives. 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.

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 commercial development at a mid-block location along a super arterial street, State Highway 21. The area along the State Highway 21 corridor west of Coulter Airfield has been developing and redeveloping with commercial uses in recent years. The adjacent property to the west is occupied as Shanco Insulation, INC. Similarly the properties to the east are occupied as real estate office, Australian Shepard Club of America

and Brazos Valley Livestock. Properties located across State Highway 21 are occupied by a single-family home and North Bryan Veterinary Clinic, and Kenworth Trucking.

Expanding C-3 zoning onto the subject property will support orderly urban growth in this vicinity where surrounding properties are being developed or are currently developed as commercial establishments. Staff contends that due to the location of the property and the surrounding uses, a change to the C-3 zoning district will allow this property to develop commercial uses that are appropriate for this area of town and would fit within the adopted goals and land use policies set out in the Comprehensive Plan. An existing cluster of C-3 zoning already exists at the intersection of State Highway 21 and Mario Road, southwest of the subject property.

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.

Staff contends that adjacent Highway 21 is capable of accommodating traffic loads typically associated with commercial development. The subject property has adequate access to water facilities through the Wickson Creek Special Utility District and an existing on-site sanitary sewer service. Staff finds that the proposed change will have no immediate impact on infrastructure needs in 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.

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.

Development pressure in the vicinity of the property has been light compared to other areas of the city mainly due to the current mix of commercial, industrial, and residentially developed and zoned properties here. Staff contends that the requested change in zoning classification from A-O District to C-3 District could have the effect of promoting a more cohesive zoning pattern along State Highway 21 and offer more commercial development opportunities along this gateway corridor into 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-3 District should have no adverse effects on adjacent properties. Staff contends that allowing a commercial development at this location will encourage an orderly zoning pattern and orderly urban development in this vicinity.

RECOMMENDATION:

Staff recommends **approving** the proposed C-3 zoning, as requested, on these 2.547 acres of land.