GENERAL PURPOSE AND DESCRIPTION:

The purpose of the Planned Development – Mixed Use District (PD-M), hereinafter referred to as “PD-M,” “the District,” or “this District,” is to comply with the City of Bryan Code of Ordinances while establishing alternate development standards set forth in this PD-M for the mutual benefit of both the property owner and the City of Bryan.

* 1. Coordinating public and private investments for the greatest effect including the public investments already underway in the area;
  2. Providing greater connectivity within the district and to adjoining destinations and appropriate transitions to adjoining neighborhoods;
  3. Promoting a sense of place by bringing buildings closer to the street where they can interact with pedestrians and be more visible to potential customers;
  4. Providing greater market flexibility by allowing a range of retail, services, residential and other mixed uses within the same district; and
  5. Ensuring the quality of development through the establishment of urban design standards and providing for a streamlined development review and approval process to facilitate economic development.

The boundaries of this PD-M are reflected on Exhibit B, *District Boundaries*, and area boundaries are shown on Exhibit C, *Regulating Plan*. This PD-M is divided into two component districts, described below, and several tracts, delineated on the Regulating Plan.

* **Highway Retail (HR)** Sub-District: includes the area with direct frontage along North Earl Rudder Freeway. This sub-district shall contain retail uses with a focus on design standards to create a more attractive major corridor through Bryan. The design standards will emphasize aesthetic treatments along North Earl Rudder Freeway.
* **General Mixed-Use (MU)** Sub-District: shall be the area that focuses on transforming internal streets into walkable streets with buildings that line these internal streets and associated parking either provided on-street or around the primary buildings. Development would generally support a walkable mixed-use context along key blocks with a wide mix of uses including retail, restaurant entertainment, office, hospitality and multifamily uses.

A Concept Area Plan has been included as Exhibit D of this PD to delineate potential development for the subject property, to indicate Type ‘A’ and Type ‘B’ frontages and streets, and show any additional special requirements. The Concept Area Plan is conceptual in nature and intended to be illustrative of the development areas in this PD. The applicant shall submit detailed Site Plans as required in this PD, in subsequent applications as parcels are developed.

For the purpose of establishing development standards for this PD-M, this district shall comply with the standards for Retail District (C-2) zoning of the City of Bryan Code of Ordinances, except as set forth within this PD-M.

**SECTION 1. DEFINITIONS**

The following words, terms, and phrases shall have the meanings ascribed to them in Bryan Code of Ordinances Chapter 130, Zoning, except where the context indicates a different meaning. Words and terms not expressly defined in this chapter or Chapter 62 have ordinary dictionary meanings based on the latest edition of Merriam-Webster’s Unabridged Dictionary. When not inconsistent with the context, words used in the present tense include the future; terms used in the singular number include the plural; and phrases used in the plural number include the singular.

*Carnival* - a temporary assembly of people that attend a traveling amusement show, having games, rides, etc. The majority of the event requires interaction by the public.

*Hotel (select-service or full-service only)* - an establishment categorized as one which offers customary food and beverage facilities and room service or one which offers a breakfast buffet or full-service breakfast menu.

*Micro-brewery, micro-distillery or winery (with restaurant or retail sales)* - establishments that are engaged in the production of beer, spirits, or wine that sell a significant portion those products on site in a restaurant or retail setting.

*Multifamily* –Multifamily (residential) development shall mean a structure or grouping of structures containing 20 or more attached dwelling units intended for human habitation, not including hotels, motels and similar lodging uses. Although multifamily developments are for residential use, due to the higher intensity of the sites, multifamily developments shall follow all requirements applicable to nonresidential developments and shall be submitted for a full review by the site development review committee. Multifamily development shall not include duplex, triplex, or fourplex (quadplex) structures.

*Offices of All Other Miscellaneous Health Practitioners* - establishments of independent health practitioners (except physicians; dentists; chiropractors; optometrists; mental health specialists; physical, occupational, and speech therapists; audiologists; and podiatrists).

*Place of worship auxiliary use* - establishments primarily engaged in operating religious organizations, such as churches, religious temples, and monasteries, and/or establishments primarily engaged in administering an organized religion or promoting religious activities.

*Pocket Park* - a small, accessible space, mostly at grade, which fits into the urban fabric and provides greenery, seating, and other pedestrian friendly elements for use by residents or tenants and guests. A pocket park is privately owned. A pocket park is a spatial amenity for development which contains residential uses to ensure adequate and sufficient open space is provided for residents.

*Recording studio* - an establishment engaged in production of sound recordings.

*Standalone emergency care or urgent care center* - an urgent care center is a walk-in clinic focused on the delivery of medical care for minor illnesses and injuries in a stand-alone medical facility outside of a traditional hospital-based or freestanding emergency department (ED). Other names for similar types of facilities include but are not limited to after-hours walk-in clinics, minute clinics, quick care clinics, minor emergency centers, and minor care clinics.

*Specialty Hospital* - establishments known and licensed as specialty hospitals primarily engaged in providing diagnostic and medical treatment to inpatients with a specific type of disease or medical condition (except psychiatric or substance abuse).

*Useable Open Space* - an area included in any side, rear or front yard or any unoccupied space on the lot that is open and unobstructed to the sky except for the ordinary projections of cornices, eaves or porches and includes, but is not limited to, pocket parks, undeveloped open areas used for passive or active recreations, water features, lakes, ponds, trails, areas containing landscape buffers and screening, landscape islands, playgrounds, plazas and undeveloped floodplain.

**SECTION 2. LAND USES**

| **Chart Legend:** "P" Permitted Use, "C" Conditional Use, Blank “Not Allowed” | | |
| --- | --- | --- |
|  | Sub-Districts | |
| USE | HR | MU |
| **PUBLIC AND CIVIC USES** | | |
| College, university or private school | P | P |
| Day care center (Class B & C only) | C | P |
| Trade and commercial schools | C | P |
| Essential Municipal Use | P | P |
| Museum, library or fine art center, art gallery | P | P |
| Nonprofit organization or institutional | P | C |
| Stand-alone Urgent care or emergency care centers | P | P |
| Medical Facilities or Clinics | P | P |
| Hospital | P | P |
| Offices of All Other Miscellaneous Health Practitioners | P | P |
| Stealth telecommunications tower | See Chapters 62 and 130, same as Retail District (C-2) | See Chapters 62 and 130, same as Multiple -Family Residential District (MF) |
| Telecommunications antenna (on structure) | See Chapters 62 & 130,  Bryan Code of Ordinances | |
| **RETAIL USES** | | |
| Amusement, indoor | P | P |
|  | P | P |
|  | C | C |
| Bar, tavern, cocktail lounge; club, private or teen | P | P |
| Fitness Center | P | P |
| Micro-brewery, micro-distillery or winery  (with restaurant or retail sales) | P | P |
| Park or playground (public or private) |  | P |
| Retail sales and services | P | P |
| Restaurant, café, cafeteria (without drive thru) | P | P |
| Restaurant (with drive thru) | P | C |
| Shooting or weapons firing range (indoor only) | C | C |
| Hotel (select-service or full-service only) | P | P |
| Bank, financial institution (without drive thru) | P | P |
| Bank, financial institution (with drive thru) | P | C |
| Offices, professional and administrative | P | P |
| Animal hospital  (no outdoor runs; overnight boarding limited to pet treatment) | P | C |
| Book, stationery stores or newsstand | P | P |
| Dance studio | P | P |
| Dog training school | P | C |
| Kiosk | C | C |
| Liquor or package store | P | P |
| Pet day care (no overnight lodging) | P | P |
| Pharmacy/drugstore (with drive thru)\_ | P | C |
| Pharmacy/drugstore (without drive thru) | P | P |
| Recording studio | P | P |
| New auto accessory and parts sales store  (without outdoor Display or storage) | P | C |
| Automobile Sales (including service and parts) | P | C |
| Convenience store with motor fuel sales (w/o truck stops) | P | C |
| Electric Vehicle (EV) charging stations | P | P |
| Parking lots or garages |  | C |
| **Residential Uses** | | |
| Assisted Living (min. 30 beds) |  | P |
| Multifamily dwelling |  | P |
| Accessory structures | P | P |
| Sidewalk and outdoor display | P | P |
| Limited outdoor storage | See Sections 130-3; 130-34(m)  (refer to C-2 District) | |
| Common open space, recreational building, community center and other similar multifamily amenities | See Sections 130-3; 130-34(m)  Requires SDRC site plan | P |
|  |  |  |
|  |  |  |

These uses shall not be allowed:

* + - 1. Pawnshop
      2. Tattoo/piercing studio
      3. Adult entertainment
      4. Duplex
      5. Triplex
      6. Fourplex (quadplex)

**SECTION 3. DEVELOPMENT STANDARDS**

This PD-M provides for two different sub-districts designed to provide an orderly land use transition.

1. Lot Area, Height, and Setback Requirements

| **Standard** | **HR** | **MU** | |
| --- | --- | --- | --- |
| Building Setbacks (measured from the property line) (minimum) | | |
| North Earl Rudder Freeway Frontage Road | 75 feet | N/A | |
| Primary street (Type ‘A’ street or Type ‘A’ easement) | 5 feet | 5 feet  15 feet maximum | |
| All other streets | 10 feet | 10 feet | |
| Side or rear | 5 feet | 5 feet | |
| Parking setbacks (from Type ‘A’ street or Type ‘A’ easement) | N/A | Behind the primary building or 5 feet (whichever is greater) | |
| Parking setbacks (secondary street) | 50 feet along North Earl Rudder Freeway –. | Behind the front façade of the building along the street or 10 feet min.; whichever is greater. | |
| Parking frontage (max. along Type ‘A’ Street or Type ‘A’ Easement) | 30% | 20% | |
| Minimum lot size | 30,000 square feet | 30,000 square feet | |
| Minimum lot width | 175 feet | 120 feet | |
| Minimum lot depth | 200 feet | 250 feet | |
| Maximum building height | 2 stories and not to exceed 35 feet | 4 stories and not to exceed 60 feet | |
| Minimum percent of usable open space (may be designated public or private) | 15% of the overall sub-district | 15% of the overall sub-district | |
| Maximum lot coverage | 75% | 75% | |

1. Site Design Standards (driveways and cross access)
   1. One (1) primary access point shall be allowed onto the North Earl Rudder Freeway frontage road, as shown on the Concept Area Plan, with a median to accommodate 12-foot minimum with landscaping. All other driveways onto the North Earl Rudder Freeway frontage road shall be allowed based upon the TxDOT’s access management standards.
   2. Cross-access easements:
2. Cross-access easements shall be a minimum of 24 feet wide and shall be provided to adjoining lots within this PD-M regardless of the development status of the adjoining lots. All drive aisles and sidewalks shall be designed, and easements conveyed, to connect to existing or future drive aisles, sidewalks, trails, or parks on adjacent parcels.
3. Location of the cross-access easements shall be established during the site plan.
4. Commercial Building Design Standards
   1. Façade Composition: Building facades that face a public street or private street with a public access easement shall comply with the minimum requirements illustrated in the diagram below.

|  |  |  |
| --- | --- | --- |
| *Figure 1: Façade Composition* | DIAGRAM ANNOTATIONS:   1. Façade height shall be minimum of 15 feet for parapet wall, or 12 feet for a sloped roof eave. 2. Storefront glazing to be minimum 9 feet high and shall extend within 0-16 inches of the sidewalk grade. 3. Minimum glazing as a percentage of the total wall area shall be 25% 4. Walls that exceed a height to width ratio of 1:3 shall incorporate a change in the façade massing and articulation which shall include the following: a change in the horizontal plane with a minimum one-foot recess or projection from the adjacent wall, a change in the wall height of two feet, a change in exterior wall material, a change in the storefront opening proportions, and change in the shading device configuration (type, height, extension, color). 5. A shading device shall be incorporated along a minimum of 50% of the façade length. 6. Optional sloped roof 7. Doors to be commercial grade with minimum 40% glazing. | |
|  | |  | |

* 1. Building Orientation and Entrances:

1. Buildings with frontage along Type ‘A’ streets shall be oriented to have their longer sides along Type ‘A’ streets.
2. Buildings shall have at least one entrance along the Type ‘A’ street.
3. Building entrances shall have a pedestrian connection from the entry to the public sidewalk on a Type ‘A’ street.
4. Secondary entrances from a rear parking lot may also be provided.
5. The maximum length of any multifamily building shall not exceed two hundred (200) linear feet. Such limitation shall apply to any cluster of attached buildings unless there is a break in the deflection angle of at least twenty (20) degrees and under no circumstances shall a cluster of buildings exceed two hundred (250) feet on length.
6. Multifamily buildings shall be designed to prevent the appearance of straight, unbroken lines in their horizontal and vertical surface.

Multifamily buildings shall have no more than sixty (60) continuous feet without a horizontal and vertical break of at least three (3) feet.

* 1. Building components:

1. Glazing:
   1. Commercial buildings shall incorporate commercial grade storefront window systems. Glass shall be clear or lightly tinted. Reflective (mirror) glass is not permitted.
   2. Minimum glazing as a percentage of the total facade area shall be 25%.
2. Roofs: roofs shall be low slope membrane roofs behind a parapet wall, and/or sloped hip or gable roofs having a minimum slope of 4:12 and a maximum slope of 8:12.
3. Roof Top Mechanical Equipment: exterior building walls shall be tall enough to shield all rooftop mechanical equipment from the view from any adjoining public street. Other screening devices such as louvered panels and any treatments that are compatible with the building's architecture may be considered on a case-by-case basis with approval by the Planning Administrator or his or her designee.
4. Awnings and Shading Devices: awnings, projecting roofs, and porches shall be permitted as shown in Figure 2: Shading Devices. No fabric awnings shall be allowed in this PD-M District.

Diagram, engineering drawing

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*Figure 2: Shading Devices*

1. *Multifamily Standards –* 
   1. All non-commercial shall adhere to the following design considerations:

Connectivity shall be maintained between the commercial land uses and residential uses in a way to create a horizontal mixed-use setting**.**

* + 1. Where mall and multifamily adjoin at a traffic arterial, consider vertical mixed use.
    2. Derive architectural styles and motifs that seek to create greater visual continuity within the diverse commercial/residential architectural mosaic of this district.
    3. Preservation of any natural waterways in a natural condition **~~that is brought into the project development as a natural feature/amenity.~~**
    4. Contribute to a coherent and continuous streetscape for Highway 6 frontage with internal street networks.
    5. Signage shall be consistent and compatible with the sign program of the commercial development.

1. Landscaping and Buffer Requirements: Standards in Chapter 62, Land and Site Development, Article VII, Landscaping of the Bryan Code of Ordinances shall apply to this PD-M District with the following modifications:
   1. North Earl Rudder Freeway Buffer Zone: Development shall occur outside of this prescribed area and be limited to landscaping, utilities, stormwater detention facilities, and pedestrian walkways. The buffer zone is measured from the property line adjoining the North Earl Rudder Freeway frontage road.
   2. Parking lot landscaping requirements: The following is intended to build upon on the requirements set forth in Section Chapter 62, Land and Site Development, Article VII, Landscaping of the Bryan Code of Ordinances.
2. Provide planter end islands as required per Chapter 62, with the following modifications:
   * + 1. 100% of required planters to have shade trees of a moderate to rapid growth rate.
       2. In no case shall there be more than 10 parking spaces in a row without a planter and tree; disperse trees throughout parking lots to achieve maximum shade coverage.
3. Parking lots that face a Type ‘A’ street as designated on the Carter’s Creek Town Center Concept Plan, and along the North Earl Rudder Freeway frontage road, shall be screened by dense shrubbery or hedges having year-round foliage. Shrubs are to be planted in a landscape strip of at least six feet in width arranged in an alternating/staggered pattern formed by two rows, two feet apart on center, each of which is made up of shrubs three feet on center. At the time a request for a certificate of occupancy is made, shrubs and hedges shall be at least three feet in height.
   1. In Front Yard Ground mounted equipment screening: all ground-mounted mechanical equipment shall be screened within a wall matching the building in material and color, or if located in a rear or side yard, away from view from the public right-of-way, landscaping may be utilized.
   2. Individual window air conditioning units are prohibited on multi-family. Central air conditioning units, heat pumps, and similar mechanical equipment, when located outside, shall be landscaped and screened from view.
   3. Whenever multifamily is located adjacent to an existing or zoned residential district of lower density development, without any division such as a dedicated public street, park or permanent open space, all principal buildings or structures shall be set back a minimum of forty (40) feet from the adjoining property line. In addition, a buffer strip at least twenty (20) feet in width shall be provided between the two districts. This buffer strip shall contain appropriate landscape improvement, fencing, berms or trees to adequately buffer adjoining uses. The twenty (20) foot buffer strip can be in part or whole within the forty (40) building setback.
4. Usable open space standards: a minimum of 15% of the land area in each sub-district shall be designated as usable open space which shall meet the following criteria:
   1. Improvements: usable open space shall consist of landscaped open space areas that are intended for passive or active enjoyment and may include seating, fountains, gardens, pergolas, playground, small park, open space amenities, and café dining. Up to 75% of the required area may be paved with concrete or unit pavers (asphalt not permitted). Paved areas shall be provided with shade trees not less than one per 500 square feet of paved area.
   2. Location: usable open space shall be located along a public street or public easement, adjacent to a building entrance, along a public trail, or in an area accessible and useable located in floodplain and/or maintained detention areas.
5. Sign regulations: standards in Chapter 98, Sign Regulations, of the City of Bryan Code of Ordinances shall apply to this PD-M District, with the following modifications:
   1. A maximum of one monument sign shall be permitted per lot.
   2. This District shall be granted one multi-tenant pylon sign for the purpose of identifying the development “primary development signage” and allowing space for tenants up to a maximum of 50 feet in height with a minimum distance from the right-of-way of 30 feet.
   3. This District shall be allowed up to two secondary multi-tenant signs along the North Earl Rudder Freeway frontage road for the purpose of identifying the development and tenant(s). Secondary Signage based upon the following restrictions:
   4. The tenant serving the secondary sign shall be greater than 20,000 square feet and have Road A frontage of at least 325 feet.
   5. Secondary Signage shall be at least 325 feet from Primary Development Signage or other Secondary Signage.
   6. Secondary Signage shall have a maximum sign face of up to 210 square feet for a single-user sign or 300 square feet for a multitenant center sign. A maximum size of 20 square feet for each tenant is allowed for tenant signs on a multitenant center sign, with up to a maximum of six tenant signs. This size of the tenant sign is separate from the calculation of the size of the Primary Development Signage. Secondary Development Signage is limited to a maximum of 25 feet in height with a minimum distance from Earl Rudder Service Road of 100’.
   7. The minimum distance between signs allowed under this section shall be no less than 325 feet.
   8. Each tenant shall be allowed to have a façade signage on the buildings per City of Bryan signage standards, or as set forth below.
   9. Projecting signs: building occupants that are classified as retail uses for entertainment or eating, may utilize a projecting sign as all or part of the area allowance for wall signs. Projecting signs are to be double sided and may incorporate LED neon type lighting. Examples of projecting signs are shown in Figure 3.

A picture containing text, sky, outdoor

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*Figure 3. Examples of projecting signs*

* 1. Blade signs and canopy signs: In addition to the signs permitted in Chapter 98, each tenant space shall be permitted to have one blade sign OR canopy sign located within 10 feet of the occupant entry door. The area of the blade or canopy sign shall not count against the area of other permitted signs.
     1. Blade signs: Shall be mounted to the building wall and project at a 90 degree angle. Signs shall not exceed 8 square feet and have a head clearance of 8 feet from the sidewalk elevation. See example in Figure 4.
     2. Canopy sign: Shall be mounted to the underside of a fixed canopy or awning structure. Signs shall not exceed 8 square feet and have a head clearance of 8 feet from the sidewalk elevation. See example in Figure 4.

 

*Figure 4. Left, example blade sign; right, example canopy sign*

1. Street Design and Trail Standards:
   1. Trails and Open Space: trails shall be installed in the locations shown on the attached Concept Plan. The following additional standards shall apply:
      1. This District shall integrate an off-street trail system providing pedestrian and bicycle connectivity within the two sub-districts. The trail system shall include a meandering path for pedestrians and bicycles with a minimum width of 10 feet. The trail system shall integrate with the required sidewalks and private access networks to create a continuous path throughout the District
      2. Trails above shall be of concrete construction of sufficient thickness to ensure long-term durability and have a minimum width of 10 feet with 3 foot fall away zones on both sides. Trail segments shall be installed concurrently with development of the adjacent street and to recording of the final plat.
      3. A Property Owner’s Association (POA) shall be established with direct responsibility to, and controlled by, either by developer or the property owners involved to provide for operation, repair and maintenance of all common area/open space and storm water detention areas in this PD-M District.
      4. A small pocket park shall be located on the final site plan to serve as an integral continuation of the trail system connection.
      5. The pocket park may also function as drainage/detention pond so long as such open space serves as an amenity during non-peak rain events.
   2. Transportation
      1. Streets – Any public and/or private access networks or driveways shall meet the minimum standards as set forth in the Bryan/College Station Unified Design Guidelines Manual and adopted City of Bryan Thoroughfare Plan. In addition, cross-sections that encourage urban pedestrian-oriented development shall be provided, including sidewalks, landscaping, and pedestrian-oriented amenities.
      2. A Traffic Impact Analysis (TIA) prepared by a qualified civil engineer licensed in the State of Texas shall be required to be submitted, reviewed and accepted by the City Engineer prior to issuance of any permits for development on this property. Subsequent to the review and acceptance by the City Engineer, the developer will incorporate in the project plan any recommended measures to mitigate against resulting impact upon the municipal or state transportation systems that the development may create over that may have been expected as the result of any prior use permitted by right within this District, including the extension of Wildflower Drive.
2. Landscaping: standards in the City of Bryan Code of Ordinances regarding landscaping standards shall apply to this PD-M, with the following modifications:
   1. Tracts 1 & 2 – Street trees shall be planted along all streets within these Tracts to the following standards:
3. Trees shall be spaced at a maximum of 50 feet apart on center between the sidewalk and back of curb (or edge of pavement) along the North Earl Rudder Freeway frontage road in accordance with a Master Landscaping Plan, which shall be completed and approved by the Planning Administrator or his or her designee.
4. Trees shall be spaced at a maximum of 40 feet apart on center between the sidewalk and back of curb (or edge of pavement) along internal streets.
5. The spacing of trees may be modified to accommodate the tree species spread.
6. Screening of parking lots shall be required when within 50-feet of a public right-of-way.
7. Trails and open space shall be credited against minimum landscaping requirements.
8. All common area sidewalks and trees, shall be maintained by the POA, or property owner.
9. Lighting and Amenities: If the developer incorporates at least two pedestrian amenities such as outdoor dining areas, covered gathering spaces, outdoor seating areas, or other similar features, then the developer shall be granted a reduction of 15% of the landscape area for the integration of such pedestrian amenities for each site development project.
10. Signage and Branding
    1. A Master Signage Plan will be created for the development, prior to issuance of any site plan approvals. The Master Signage Plan will include all signage for the entire project using a cohesive palate. Tract 3 may have separate monument signage on its lot.
    2. A hardscape and landscaping plan will be created for the development. The site development plans will include all landscape and hardscape for the entire project using a cohesive palate.
11. Phasing: The Multifamily development shall be limited to a maximum of 500 units. Developer shall be allowed to develop a maximum of 250 units for the first phase. Following the first phase, the developer shall build 20,000 square feet of non-residential prior to constructing any additional multifamily. After meeting the minimum non-residential, Developer shall construct an additional 80 square feet of non-residential for every unit constructed thereafter plus all the infrastructure to service the Highway Retail District within 48 months of the Certificate of Occupancy of the first phase of multifamily.

**SECTION 4. SUBDIVISION OF LAND**

The subdivision of land in this PD-M District shall be allowed by Chapter 110, Subdivisions, of the City of Bryan Code of Ordinances, with the exceptions or additions to ordinary standards found in this document.