ACTION FORM
BRYAN CITY COUNCIL

DATE OF COUNCIL MEETING:	April 23, 2013	**DATE SUBMITTED:**	April 1, 2013
DEPARTMENT OF ORIGIN:	Development Serv.	**SUBMITTED BY:**	Maggie Dalton

MEETING TYPE:	CLASSIFICATION:	ORDINANCE:	STRATEGIC INITIATIVE:
☐ BCD	☒ PUBLIC HEARING	☐ 1ST READING	☐ DIVERSITY
☐ SPECIAL	☐ CONSENT	☐ 2ND READING	☐ EDUCATION
☒ REGULAR	☐ STATUTORY		☒ GROWTH
☐ WORKSHOP	☐ REGULAR		☒ IMAGE
			☒ INFRASTRUCTURE
			☐ PUBLIC SAFETY

AGENDA ITEM DESCRIPTION: Consideration of an ordinance to amend Chapter 130, Zoning, of the City of Bryan Code of Ordinances, changing the zoning classification from Residential District – 5000 (RD-5) to Planned Development District – Housing (PD-H) on 0.5021 acres of land located along Jefferson Street between Aspen and College Main Streets, being Lots 1 and 6 and parts of Lot 2 and 7 in Block 4 of Highland Park Phase 1 in Bryan, Brazos County, Texas.

SUMMARY STATEMENT: The applicant, Ryan Strickland, is requesting a change to the zoning on this 0.5021-acre property from RD-5 District to PD-H District to permit the construction of twelve (12) townhouse units in a configuration that would not be normally possible under RD-5 zoning regulations. While most of the requirements of RD-5 zoning are still proposed to apply to this PD-H District, the following additional standards or exceptions shall be applicable to the physical development on this property:

1. The minimum setback on both sides of the property (College Main and Aspen Street) and the front of the property (Jefferson Street) shall be 10'.
2. The minimum townhome lot depth shall be 85' with a 30' wide joint access easement in the alley from College Main Street to Aspen Street.
3. The maximum height of structures shall not exceed 45'.
4. The minimum width of townhome lots shall be 19'.
5. Landscaping areas along the front, sides, and rear of the property will comprise 21% of the total site area. Landscaping will be designed by a landscape architect and will incorporate the use of native plants and boulders.
6. Jefferson Street will be redeveloped per City of Bryan College Main development standards.
7. All units to be constructed using no less than 80% masonry on exterior walls and a combination of brick and stone to be used throughout elevations.
8. Front yards to be fenced in with 4' wrought iron fencing with walk gate and brick columns at the corner of each property line.
9. All units are to be constructed with attached two car garage.
10. Nine additional parallel parking spaces will be provided along the rear drive with an additional nine parallel public parking spaces provided along Jefferson Street.

In summary, if approved, the development and use of this property would be limited to twelve (12) townhouses in the configuration shown on the development plan that is attached to the draft ordinance below.

STAFF ANALYSIS:

A. PROS: The proposed PD-H District will allow residential infill development in a townhouse arrangement at this location. Jefferson Street will be improved with a concrete base and will include nine (9) public parking spaces. An extension of the College Main Street design will continue along Jefferson Street in terms of the sidewalk design.

B. CONS: New development at this location will increase the volume of auto and pedestrian activity at this intersection.

STAFF'S RECOMMENDATION (Including Rationale and Justification): Staff recommends approving the proposed rezoning. Staff believes the proposed development of twelve (12) townhouses at this particular location will generally be compatible with existing land uses on surrounding properties and in conformance with the land use recommendations of the Comprehensive Plan. The proposed townhouse development at this location will allow for a useful and orderly urban development of this property. The zoning change can be expected to neither adversely affect health, safety, morals, or general welfare nor be materially injurious to properties or improvements in the vicinity. During its meeting on March 21, 2013, the P&Z concurred with staff and recommended approving this request by a vote of 6-2.

OPTIONS (In Suggested Order of Staff Preference):

1. approve the requested zone change;
2. approve the requested zone change with modifications, which may require consideration at a future City Council meeting; or
3. deny the requested zone change.

ATTACHMENTS:

1. location map and aerial photo;
2. draft ordinance with exhibits (including development plan);
3. excerpt from P&Z meeting minutes; and
4. staff report to the Planning & Zoning Commission.

FUNDING SOURCE: N/A

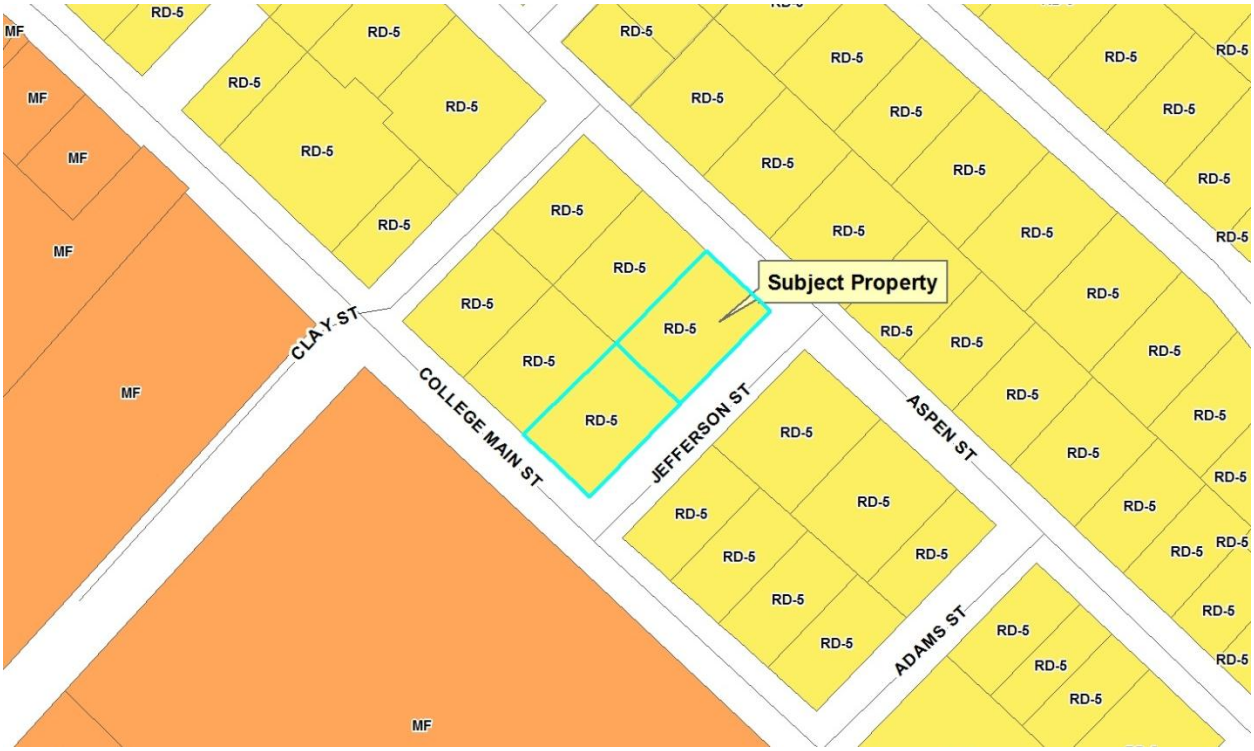
APPROVALS: Lindsey Guindi, 4/4/13; Joey Dunn, 4-4-13; Hugh R. Walker, 04/04/2013

APPROVED FOR SUBMITTAL: CITY ATTORNEY Janis K. Hampton, 04/16/2013

APPROVED FOR SUBMITTAL: CITY MANAGER

Revised 11/08

LOCATION MAP:



AERIAL PHOTOGRAPH – 2011:

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF BRYAN, TEXAS, AMENDING CHAPTER 130, ZONING, OF THE CITY OF BRYAN CODE OF ORDINANCES, BY CHANGING THE ZONING CLASSIFICATION FROM RESIDENTIAL DISTRICT – 5000 (RD-5) TO PLANNED DEVELOPMENT DISTRICT – HOUSING (PD-H) ON 0.5021 ACRES OF LAND LOCATED ALONG JEFFERSON STREET BETWEEN ASPEN AND COLLEGE MAIN STREETS, BEING LOTS 1 AND 6 AND PARTS OF LOT 2 AND 7 IN BLOCK 4 OF HIGHLAND PARK – PHASE 1 IN BRYAN, BRAZOS COUNTY, TEXAS; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; FINDING AND DETERMINING THAT THE MEETINGS AT WHICH SAID ORDINANCE IS PASSED ARE OPEN TO THE PUBLIC AS REQUIRED BY LAW; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Bryan has adopted Chapter 130, Zoning, of the City of Bryan Code of Ordinances, as amended, which divides the City of Bryan into various zoning districts; and

WHEREAS, permanent zoning changes made after the date of passage of Chapter 130 are made by adopting ordinances amending Chapter 130 for each particular permanent zoning change; and

WHEREAS, this requested change to Chapter 130 for 0.5021 acres of land located along Jefferson Street between Aspen and College Main Streets, being Lots 1 and 6 and parts of Lot 2 and 7 in Block 4 of Highland Park – Phase 1 in Bryan, Brazos County, Texas was recommended for approval by the Bryan Planning and Zoning Commission during its regular meeting on March 21, 2013;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BRYAN, TEXAS:

1.

That Chapter 130, Zoning, of the City of Bryan Code of Ordinances be amended by changing the zoning classification of 0.5021 acres of land located along Jefferson Street between Aspen and College Main Streets, being Lots 1 and 6 and parts of Lot 2 and 7 in Block 4 of Highland Park Phase 1 in Bryan, Brazos County, Texas, said 0.5021 acres being described more particularly on attached Exhibit "A", from Residential District – 5000 (RD-5) to a Planned Development – Housing District (PD-H), subject to development requirements specified in attached Exhibit "B" and depicted on attached Exhibit "B-1" which are herein fully incorporated by reference for all purposes as if they were set forth in the text of the ordinance.

2.

That all ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

3.

Should any section, paragraph, sentences, clause, phrase or word of this ordinance be declared unconstitutional or invalid for any purpose by a court of competent jurisdiction, the remainder of this ordinance shall not be affected thereby, and to this end the provisions of this ordinance are declared to be severable.

4.

The Code of the City of Bryan, Texas, as amended, shall remain in full force and effect, save and except as amended by this ordinance.

5.

It is hereby found and determined that the meetings at which this ordinance was passed were open to the public as required by Section 551.001 et seq., Texas Government Code, and that advance public notice of time, place and purpose of said meetings was given.

6.

This ordinance shall take effect immediately upon its second and final reading and passage.

PRESENTED AND GIVEN first reading the 23rd day of April, 2013 at a regular meeting of the City Council of the City of Bryan, Texas; and given second reading, PASSED AND APPROVED on the 14th day of May, 2013 by a vote of ___ yeses and ___ noes at a regular meeting of the City Council of the City of Bryan, Texas.

ATTEST:

_____
Mary Lynne Stratta, City Secretary

CITY OF BRYAN:

_____
Jason P. Bienski, Mayor

APPROVED AS TO FORM:

_____
Janis K. Hampton, City Attorney

Exhibit "A":
Metes-and-bounds description of 0.5021 acres of land which is the subject property of Rezoning request case no. RZ13-01: Highland Park Addition

Being a tract of land containing 0.5021 acres, out of the Highland Park Addition to the City of Bryan, County of Brazos, State of Texas, also being all of Lots One (1) and Six (6) and part of Lots Two (2) and Seven (7), Block Four (4) of the said addition, also being the same tracts of land owned by Roy Mundy as recorded in Volume 10773, Page 214 and Volume 10860, Page 68 of the Brazos County Official Public Records (B.C.O.P.R.), the 0.5021 acres tract being more particularly described as follows:

BEGINNING at a ½" iron rod found for the east corner of this tract, also being a point at the intersection of the southwest right-of-way line of Aspen Street, a 50' right-of-way and the northwest right-of-way line of Jefferson Street, a 50' right-of-way, also being the east corner of the said Lot 6, Block 4;

THENCE along the said northwest right-of-way of Jefferson Street, South 46º 44' 28" West, a distance of 250.00 feet to a 5/8" iron rod with an orange plastic cap marked "Carlomagno RPLS 1562" set for the south corner of this tract, also being a point at the intersection of the said northwest right-of-way of Jefferson Street and the northeast right-of-way line of College Main Street, a 60' right-of-way, also being the south corner of the said Lot 1, Block 4;

THENCE along the said northeast right-of-way of College Main Street, North 43º 15' 00" West, a distance of 90.00 feet to a 5/8" iron rod with an orange plastic cap marked "Carlomagno RPLS 1562" set for the west corner of this tract, also being a point along the said northeast right-of-way of College Main Street, also being the south corner of the tract of land owned by Hifaza LLC, being all of Lot Three (3), and parts of Lots Two (2) and Four (4), Block Four (4) of the said addition, as recorded in Volume 9370, Page 159 of the B.C.O.P.R.;

THENCE along the common line between this tract and the said Hifaza Tract, North 46º 45' 00" East, a distance of 125.00 feet to a 5/8" iron rod with an orange plastic cap marked "Carlomagno RPLS 1562" set for a north corner of this tract, also being the east corner of the said Hifaza tract, also being a point along the southwest boundary line of the tract of land owned by Mary Ann O'Farrell, being all of Lot Eight (8) and part of Lots Seven (7) and Nine (9), Block Four (4), of the said addition, as recorded in Volume 7313, Page 50 of the B.C.O.P.R.;

THENCE along the common line between this tract and the said O'Farrell tract the following calls and distances:

South 43º 15' 00" East, a distance of 5.00 feet to a 5/8" iron rod with an orange plastic cap marked "Carlomagno RPLS 1562" set for a north corner of this tract;

North 46º 45' 00" East, a distance of 125.00 feet to a 5/8" iron rod with an orange plastic cap marked "Carlomagno RPLS 1562" set for a north corner of this tract, also being the east corner of the said O"Farrell tract, also being a point along the said southwest right-of-way of Aspen Street;

THENCE along the said southwest right-of-way of Aspen Street, South 43º 15' 00" East, a distance of 84.96 feet to the PLACE OF BEGINNING containing 0.5021 acres.

Exhibit "B":

Development requirements for Planned Development – Housing (PD-H) District

General Purpose and Description

The Jefferson Street Townhome development plan is intended to guide and set the standard for planning of land use and physical development on the subject property and future properties in the nearby vicinity of College Main. The proposed project is intended to compliment the recently completed College Main project while increasing the population density of the area. This PD-H development plan is envisioned as a tool to help improve property values and guide the way for revitalization of the surrounding neighborhood and community. As such, the proposed development will be targeting young professionals, professors, and game day housing for alumni.

SECTION 1: Permitted Land Uses

The following range of land uses shall be permitted by right:

- Townhouses;
- Condominiums;
- Temporary structures for uses incidental to construction work on the premises, said buildings shall be removed upon the completion or abandonment of construction work.

SECTION 2: Development Standards

Physical development in this Planned Development District shall comply with development standards and limitations of the City of Bryan Code of Ordinances that generally apply to townhouse development on properties zoned Residential District – 5000 (RD-5). The following additional standards shall be applicable:

1. The minimum setback on both sides of the property (College Main and Aspen Street) and the front of the property (Jefferson Street) shall be 10'

2. The minimum townhome lot depth shall be 85' with a 30' wide joint access easement in the alley from College Main Street to Aspen Street

3. The maximum height of structures shall not exceed 45'

4. The minimum width of townhome lots shall be 19'

5. Landscaping areas along the front, sides, and rear of the property will comprise 21% of the total site area. Landscaping will be designed by a landscape architect and will incorporate the use of native plants and boulders

6. Jefferson Street will be redeveloped per City of Bryan College Main development standards

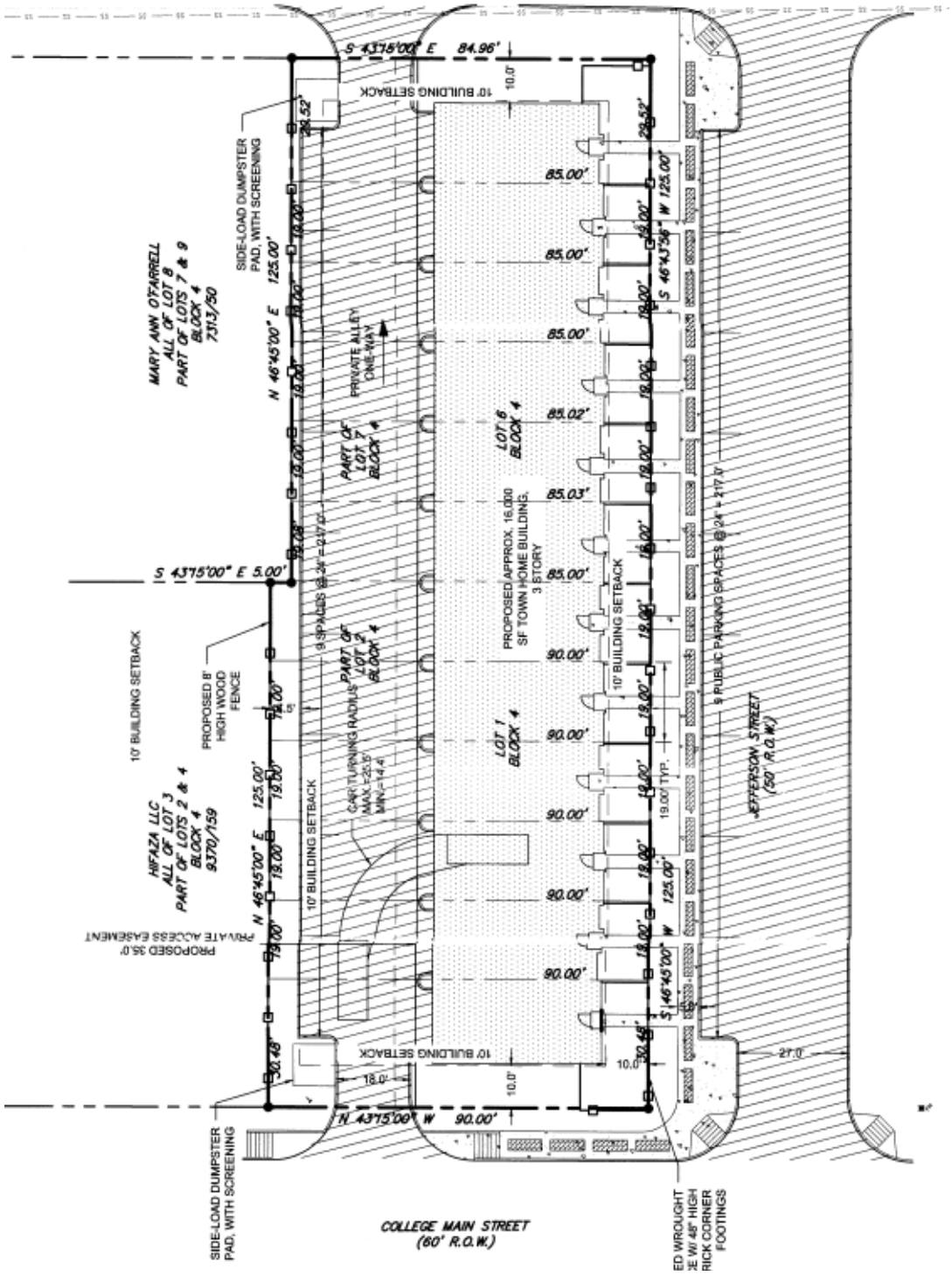
7. All units to be constructed using no less than 80% masonry on exterior walls and a combination of brick and stone to be used throughout elevations

8. Front yards to be fenced in with 4’ wrought iron fencing with walk gate and brick columns at the corner of each property line

1. All units are to be constructed with attached two car garage

2. Nine additional parallel parking spaces will be provided along the rear drive with an additional nine parallel public parking spaces provided along Jefferson Street.

Exhibit "B-1":


S 43°15'00" E 84.96'
10' BUILDING SETBACK
10.0'
29.52'
SIDE-LOAD DUMPSTER PAD, WITH SCREENING
MARY ANN O'FARRELL
ALL OF LOT 8
PART OF LOTS 7 & 9
BLOCK 4
7313/50
N 46°45'00" E 125.00'
19.00'
PRIVATE ALLEY ONE-WAY
PART OF LOT 7 BLOCK 4
LOT 6 BLOCK 4
85.00'
85.02'
85.03'
S 46°43'58" W 125.00'
S 43°15'00" E 5.00'
9 SPACES @ 24' = 216'
PROPOSED APPROX. 16,000 SF TOWN HOME BUILDING, 3 STORY
10' BUILDING SETBACK
PROPOSED 8' HIGH WOOD FENCE
PART OF LOT 2 BLOCK 4
LOT 1 BLOCK 4
90.00'
9 PUBLIC PARKING SPACES @ 24' = 217.0'
JEFFERSON STREET (50' R.O.W.)
HIFAZA LLC
ALL OF LOT 3
PART OF LOTS 2 & 4
BLOCK 4
9370/159
CART TURNING RADIUS MAX.=23.5' MIN.=14.4'
19.00' TYP.
PROPOSED 35.0' PRIVATE ACCESS EASEMENT
S 46°45'00" W 125.00'
N 43°15'00" W 90.00'
18.0'
21.0'
SIDE-LOAD DUMPSTER PAD, WITH SCREENING
COLLEGE MAIN STREET (60' R.O.W.)
ED WROUGHT
E W/ 48" HIGH
RICK CORNER
FOOTINGS

EXCERPT FROM PLANNING AND ZONING COMMISSION MEETING MINUTE RECORD OF MARCH 21, 2012:

9. Rezoning RZ13-01: M. Dalton

A proposed rezoning from Residential District – 5000 (RD-5) to Planned Development – Housing (PD-H) for all of lots 1 & 6 and part of Lots 2 & 7 of Block 4 in the Highland Park Addition in Bryan, Brazos County, Texas.

Ms. Dalton presented the staff report (on file in the Development Services Department). Staff recommends recommending approval of the proposed rezoning.

The public hearing was opened.

Stephen Beck, 201 College View, requested information on the number of proposed lots and stated opposition to the large number of lots. He expressed concern that neighboring citizens did not know the nature of the development.

Jan McMurrey, 3400 Mustang Lane, College Station, stated she owned nearby property and expressed concern for the proposed density, number of lots, and effect this rezoning would have on her property value.

Jeremy Peters, 2801 Ashford, College Station, made himself available for questions about the proposed development. In response to a question, he stated there were 30 proposed bedrooms and described how the development would meet the parking requirements.

In response to a question, Ms. Dalton responded that the proposed density was less than the maximum density allowed in multi-family zoning.

The public hearing was closed.

Commissioner Bienski moved to recommend approval of RZ 13-01, the proposed rezoning from Residential District – 5000 (RD-5) to Planned Development – Housing (PD-H) for all of lots 1 & 6 and part of Lots 2 & 7 of Block 4 in the Highland Park Addition. Commissioner Hickle seconded the motion.

Commissioners discussed:

- The number of lots and the ratio of lots to land acreage
- The number of proposed bedrooms and proposed parking spaces
- The benefits of development
- The location this proposed development in relation to other new developments
- That approval still allowed for more discussion at the City Council's meetings

The motion passed with a 6-2 vote. Commissioners Gutierrez and Gonzalez cast the votes in opposition.

PLANNING AND ZONING COMMISSION
STAFF REPORT

March 21, 2013

CITY OF BRYAN

Rezoning case no. RZ 13-01: Ryan Strickland

CASE DESCRIPTION: a request to change the zoning classification from Residential District – 5000 (RD-5) to Planned Development – Housing (PD-H)

LOCATION: 0.5021 acres of land located on the northwest side of Jefferson Street between Aspen Street and College Main Street

LEGAL DESCRIPTION: Highland Park Phase 1, Block 4, Lots 1 and 6, and parts of Lots 2 and 7

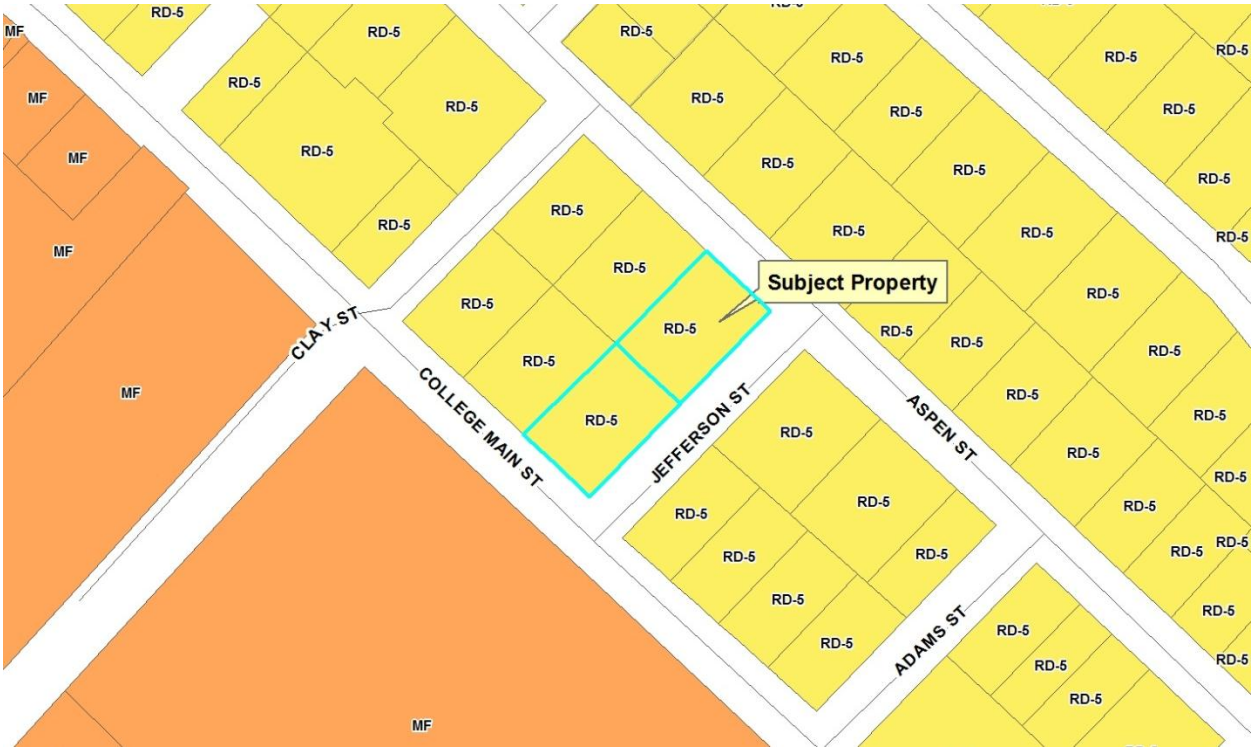
EXISTING LAND USE: single-family residential

APPLICANT(S): Ryan Strickland

STAFF CONTACT: Maggie Dalton, Staff Planner

SUMMARY RECOMMENDATION: Staff recommends **approving** the proposed development plan, as requested.

LOCATION AND CURRENT ZONING:



AERIAL PHOTOGRAPH – 2011:

BACKGROUND:

The applicant is requesting a change to the zoning on the subject property from RD-5 District to PD-H District to permit the construction of twelve townhouse units in a configuration that would not be normally possible under RD-5 zoning regulations. A design and development plan have been submitted that address existing site constraints in a manner that the applicant contends will allow the property to be utilized as proposed while remaining true to the guiding values of the zoning ordinance and sound planning principles.

The proposed development plan is a prerequisite for the proposed replat of this property into the twelve individual townhome lots (replat case no. RP12-29). This case is being heard on March 21, 2013 following the rezoning hearing.

PROPOSED DEVELOPMENT PLAN:

General Purpose and Description

The Jefferson Street Townhome development plan is intended to guide and set the standard for planning of land use and physical development on the subject property and future properties in the nearby vicinity of College Main. The proposed project is intended to compliment the recently completed College Main project while increasing the population density of the area. This PD-H development plan is envisioned as a tool to help improve property values and guide the way for revitalization of the surrounding neighborhood and community. As such, the proposed development will be targeting young professionals, professors, and game day housing for alumni.

SECTION 1: Permitted Land Uses

The following range of land uses shall be permitted by right:

- Townhouses;
- Condominiums;
- Temporary structures for uses incidental to construction work on the premises, said buildings shall be removed upon the completion or abandonment of construction work.

SECTION 2: Development Standards

Physical development in this Planned Development District shall comply with development standards and limitations of the City of Bryan Code of Ordinances that generally apply to townhouse development on properties zoned Residential District – 5000 (RD-5). The following additional standards shall be applicable:

3. The minimum setback on both sides of the property (College Main and Aspen Street) and the front of the property (Jefferson Street) shall be 10'

4. The minimum townhome lot depth shall be 85' with a 30' wide joint access easement in the alley from College Main Street to Aspen Street

5. The maximum height of structures shall not exceed 45'

6. The minimum width of townhome lots shall be 19'

7. Landscaping areas along the front, sides, and rear of the property will comprise 21% of the total site area. Landscaping will be designed by a landscape architect and will incorporate the use of native plants and boulders

8. Jefferson Street will be redeveloped per City of Bryan College Main development standards

9. All units to be constructed using no less than 80% masonry on exterior walls and a combination of brick and stone to be used throughout elevations

10. Front yards to be fenced in with 4' wrought iron fencing with walk gate and brick columns at the corner of each property line

11. All units are to be constructed with attached two car garage

12. Nine additional parallel parking spaces will be provided along the rear drive with an additional nine parallel public parking spaces provided along Jefferson Street.

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 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.

Action Statement 1: Reevaluate the current zoning code to identify inconsistencies and impediments to development.

Action Statement 2: Develop specific requirements for contextual infill and redevelopment in existing neighborhoods and commercial areas.

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 tracts for this development plan lie on the edge of a residential district and a multiple-family residential district along the recently renovated College Main Street. This older residential neighborhood is in a prime location for redevelopment as it is close to Texas A&M University and there has been a recent increase in interest in redevelopment of the immediate area.

   As proposed, the development plan alters very little with regard to the uses potentially allowed on the subject property. Briefly, this amendment alters the configuration of building setbacks, decreases the lot depth and width, and increases the maximum allowed height of the building while still maintaining distance from adjacent properties.

   Staff believes that the proposed townhouse development at this particular location, along a residential corridor and near several multi-family developments, will generally be compatible with existing land uses on surrounding properties and in conformance with the land use recommendations of the Comprehensive Plan. Staff is comfortable with the proposed limited range of permitted land uses and altered building standards at this location.

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 is not aware of any circumstances that would prevent this property from having access to required utilities. With the associated replat for the development (case no. RP12-29), the applicants will be required to install public water and sewer lines along Jefferson Street to service each individual townhome. Being that this is not a multiple-family development, a master meter cannot be used to service this development.

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.

Almost all of the vacant land zoned for single-family residential use in Bryan could potentially accommodate townhouse development through the conditional use process. 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.

   Due to the fact that the general area has been largely developed for some time but due to the recent increase in interest to redevelop the area, staff finds that residential development is occurring at a steady pace in this general vicinity.

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 PD-H District were approved, staff believes there to be no need to modify the zoning designation for other areas designated for similar developments.

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

   Staff is unable to discern any other factors related to this request that will adversely affect health, safety, morals, or general welfare. Staff contends that the proposed townhouse development at this location will allow for a useful and orderly urban development of this property.

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.

   Staff believes that the proposed townhouse development will have a positive effect on the surrounding area and will be compatible with existing and anticipated uses surrounding this property and in accordance with the land use recommendations of the Comprehensive Plan. Staff believes that the proposed use and development of this property should have minimal (if any) adverse impacts on nearby properties or the City as a whole.

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 is unable to identify any potentially adverse effects or impacts on other existing or permitted uses on abutting sites that have not been mitigated by the provisions of the proposed PD-H 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 development will not adversely affect the safety and convenience of vehicular and pedestrian circulation in the vicinity. While new development at this location will slightly increase the volume of auto and pedestrian activity, it is important to note that the subject property is located near a street designed to accommodate significant amounts of traffic; College Main Street is classified as a major collector street on Bryan's Thoroughfare Plan. This principal street can reasonably be expected to be capable of safely absorbing traffic loads typically associated with single-family residential uses.

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

   Staff contends that the proposed amendment to the existing development plan will not adversely affect traffic control or adjacent properties by inappropriate location, lighting, or types of signs.

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

   Staff contends that the proposed development will reasonably protect persons and property from erosion, flood or water damage, fire, noise, glare, and similar hazards or impacts, in conformance with applicable city ordinances.

6. Will be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity, for reasons specifically articulated by the commission.

   Staff believes that the proposed townhome development at this location will neither adversely affect health, safety, morals, or general welfare nor be materially injurious to properties or improvements in the vicinity.

RECOMMENDATION:

Staff recommends **approving** this proposed development plan, as requested.