ACTION FORM
BRYAN CITY COUNCIL

DATE OF COUNCIL MEETING:	February 25, 2014	**DATE SUBMITTED:**	January 23, 2014
DEPARTMENT OF ORIGIN:	Development Services	**SUBMITTED BY:**	Martin Zimmerman

MEETING TYPE:	**CLASSIFICATION:**	**ORDINANCE:**	**STRATEGIC INITIATIVE:**
☐ **BCD**	☐ **PUBLIC HEARING**	☐ **1ST READING**	☐ **PUBLIC SAFETY**
☐ **SPECIAL**	☐ **CONSENT**	☒ **2ND READING**	☐ **SERVICE**
☒ **REGULAR**	☐ **STATUTORY**		☒ **ECONOMIC DEVELOP.**
☐ **WORKSHOP**	☒ **REGULAR**		☒ **INFRASTRUCTURE**
			☒ **QUALITY OF LIFE**

AGENDA ITEM DESCRIPTION: Consideration of an ordinance to amend Chapter 130, Zoning, of the City of Bryan Code of Ordinances, to change the zoning classification from Agricultural-Open District (A-O) to Residential District - 7000 (RD-7) on 30.3 acres of land located at the east corner of Thornberry and Austin's Estates Drives, being Lots 1-3 in Block 2 of Austin's Estates Subdivision - Phase 4A, Lot 1 in Block 4 of Austin's Estates Subdivision - Phase 4B, and 17.39 acres of land out of John Austin League, A-2 (proposed Phase 5 of Austin's Estates Subdivision) in Bryan, Brazos County, Texas.

SUMMARY STATEMENT: The applicant/property owner, Mr. Grant Carrabba, is requesting to change the zoning on the subject property from Agricultural-Open District (A-O) to Residential District – 7000 (RD-7), to permit the proposed development of these 30+ acres with single-family residences. The subject property adjoins both Austin's Estates and Thornberry Drives. A master plan for Austin's Estates proposing a low-density residential development at this location was approved by the Planning and Zoning Commission on June 1, 2006.

The A-O zoning classification is intended to provide opportunities for development of low density, detached single-family residences on lots of at least one (1) acre in a suburban or rural setting. This zoning classification is also intended to serve as a holding zone for vacant land areas annexed to the City as well as to protect areas that may be unsuitable for development and to preserve natural open space. The RD-7 zoning classification is intended to provide opportunities for development of detached dwellings on lots of at least 7,000 square feet in size.

STAFF ANALYSIS AND RECOMMENDATION: Staff believes RD-7 zoning on these 30.3 acres is appropriate at this particular location and is not only in accordance with land use recommendations of the Comprehensive Plan, but also with the approved master plan for the Austin's Estates Subdivision. Staff believes single-family residences at this location will promote orderly urban growth in close proximity to Harvey Mitchell Elementary School. Most of the existing Austin's Estates Subdivision, located north and northeast of the subject property, is already zoned RD-7 District.

During its regular meeting on January 16, 2014, the Planning and Zoning Commission unanimously concurred with staff and unanimously recommended **approving** this request.

OPTIONS (In Suggested Order of Staff Preference):

1. approve the requested zone change;
2. deny the requested zone change.

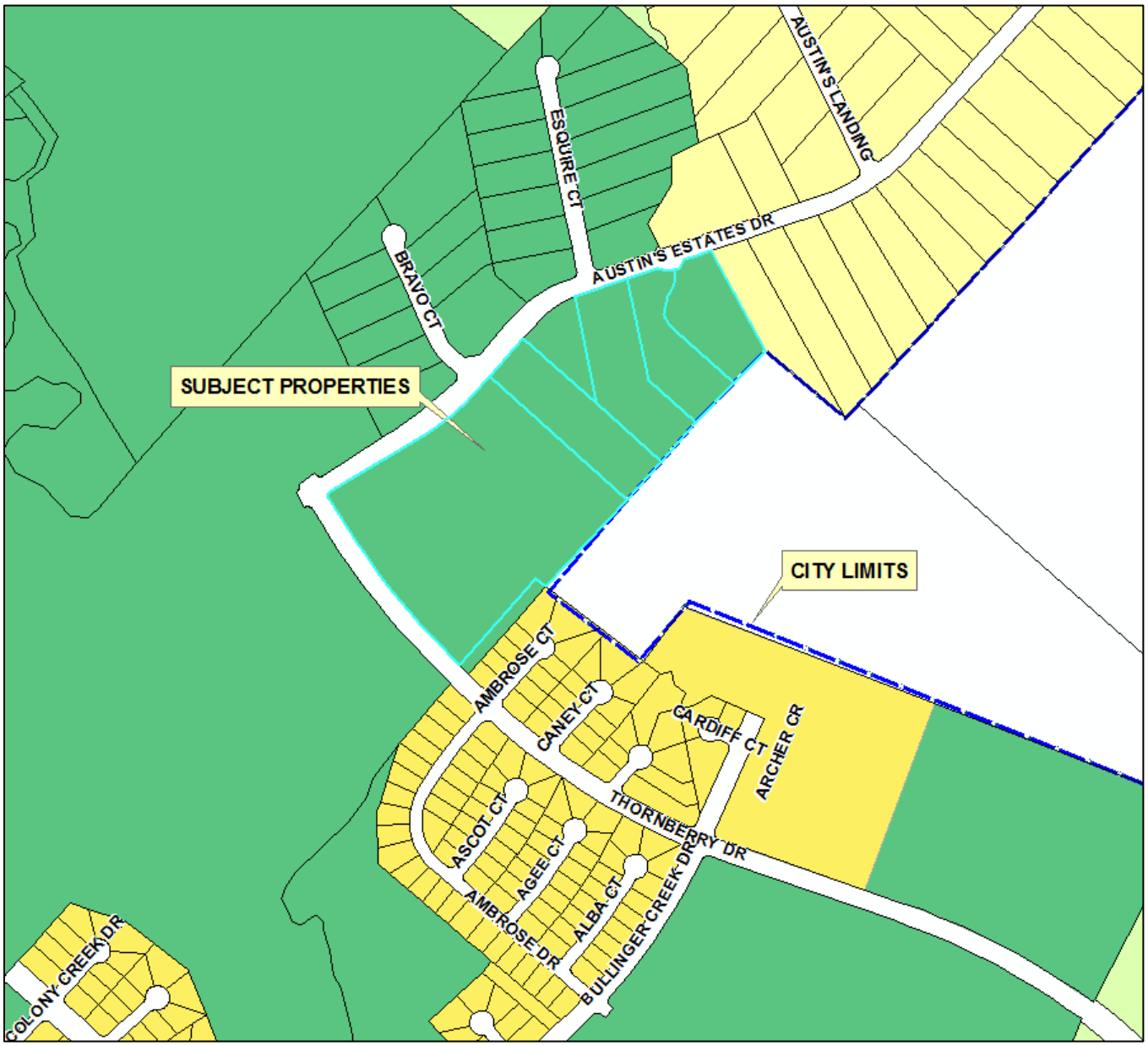
ATTACHMENTS:

1. location map and aerial photograph;

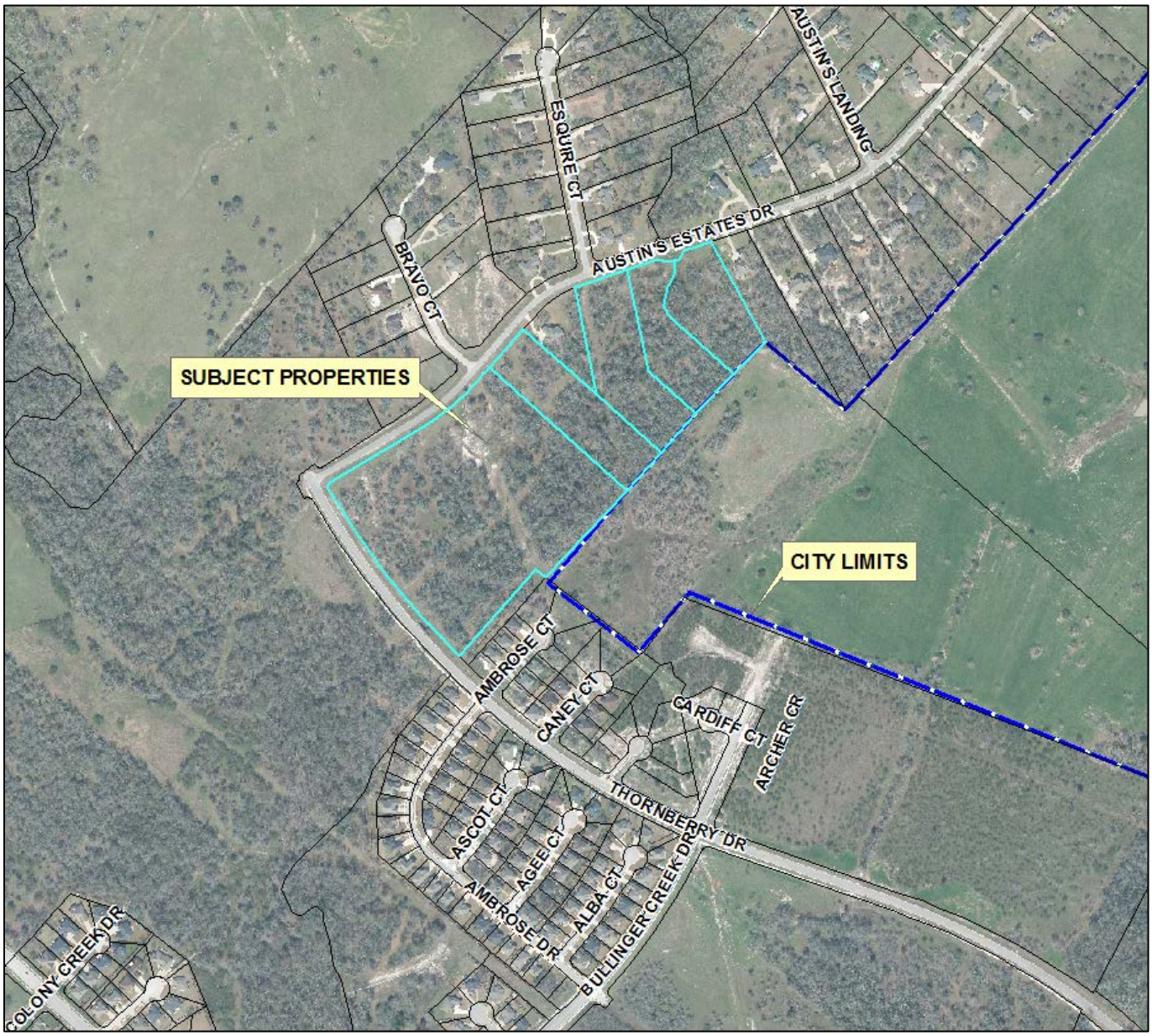
2. draft ordinance 3. excerpt from P&Z meeting minutes; and 4. staff report to the P&Z.
FUNDING SOURCE: N/A
APPROVALS: Kevin Russell, 1-23-14; Joey Dunn, 1-24-14; Hugh R. Walker, 01/28/2014
APPROVED FOR SUBMITTAL: CITY MANAGER Kean Register, 01-29-2014
APPROVED FOR SUBMITTAL: CITY ATTORNEY Janis K. Hampton, 02-03-2014

Revised 04/2013

LOCATION MAP:



AERIAL PHOTOGRAPH (2013):



ORDINANCE NO._____

AN ORDINANCE OF THE CITY OF BRYAN, TEXAS, AMENDING CHAPTER 130, ZONING, OF THE CITY OF BRYAN CODE OF ORDINANCES, CHANGING THE ZONING CLASSIFICATION FROM AGRICULTURAL – OPEN DISTRICT (A-O) TO RESIDENTIAL DISTRICT – 7000 (RD-7) ON 30.3 ACRES OF LAND LOCATED AT THE EAST CORNER OF THORNBERRY AND AUSTIN'S ESTATES DRIVES BEING, LOTS 1-3 IN BLOCK 2 OF AUSTIN'S ESTATES SUBDIVISION - PHASE 4A, LOT 1 IN BLOCK 4 OF AUSTIN'S ESTATES SUBDIVISION - PHASE 4B, AND 17.39 ACRES OF LAND OUT OF JOHN AUSTIN LEAGUE, A-2 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, as amended, are made by adopting ordinances amending Chapter 130 for each particular permanent zoning change; and

WHEREAS, this requested change to Chapter 130 on 30.3 acres of land located at the east corner of Thornberry and Austin's Estates Drives, being Lots 1-3 in Block 2 of Austin's Estates Subdivision - Phase 4A, Lot 1 in Block 4 of Austin's Estates Subdivision - Phase 4B, and 17.39 acres of land out of John Austin League, A-2 was recommended for approval by the Bryan Planning and Zoning Commission during its regular meeting on January 16, 2014;

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

1.

That Chapter 130, Zoning, of the City of Bryan Code of Ordinances be amended by changing the zoning classification from Agricultural – Open District (A-O) to Residential District – 7,000 (RD-7) on 30.3 acres of land located at the east corner of Thornberry and Austin's Estates Drives being, Lots 1-3 in Block 2 of Austin's Estates Subdivision - Phase 4A, Lot 1 in Block 4 of Austin's Estates Subdivision - Phase 4B, and 17.39 acres of land out of John Austin League, A-2 in Bryan, Brazos County, Texas, said 30.3 acres being described more particular by metes-and-bounds on attached Exhibit "A".

2.

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 11th day of February, 2014 at a regular meeting of the City Council of the City of Bryan, Texas; and given second reading, PASSED AND APPROVED on the 25th day of February, 2014 by a vote of ___ yeses and ___ noes at a regular meeting of the City Council of the City of Bryan, Texas.

ATTEST:

CITY OF BRYAN:

_____
Mary Lynne Stratta, City Secretary

_____
Jason P. Bienski, Mayor

APPROVED AS TO FORM:

_____
Janis K. Hampton, City Attorney

EXHIBIT "A":

METES AND BOUNDS DESCRIPTION
OF A
30.291 ACRE TRACT
JOHN AUSTIN LEAGUE, A-2
BRYAN, BRAZOS COUNTY, TEXAS

METES AND BOUNDS DESCRIPTION OF ALL THAT CERTAIN TRACT OF LAND LYING AND BEING SITUATED IN THE JOHN AUSTIN LEAGUE, ABSTRACT NO. 2, BRYAN, BRAZOS COUNTY, TEXAS. SAID TRACT BEING ALL OF LOTS 1, 2 AND 3, BLOCK 2, AUSTIN'S ESTATES PHASE 4A AND LOT 1, BLOCK 4, AUSTIN'S ESTATES PHASE 4B ACCORDING TO THE PLAT RECORDED IN VOLUME 7912, PAGE 22 OF THE OFFICIAL PUBLIC RECORDS OF BRAZOS COUNTY, TEXAS AND A PORTION OF THE REMAINDER OF A CALLED 405.010 ACRE TRACT OF LAND AS DESCRIBED BY A DEED TO 88 JOINT VENTURE RECORDED IN VOLUME 1029, PAGE 850 OF THE OFFICIAL PUBLIC RECORDS OF BRAZOS COUNTY, TEXAS.

SAID TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A 1/2 INCH IRON ROD FOUND ON THE SOUTHEAST LINE OF AUSTIN'S ESTATES DRIVE (R.O.W. VARIES) MARKING THE NORTH CORNER OF SAID LOT 1 AND THE WEST CORNER OF LOT 19, BLOCK 4, AUSTIN'S ESTATES PHASE 3A ACCORDING TO THE PLAT RECORDED IN VOLUME 4720, PAGE 239 OF THE OFFICIAL PUBLIC RECORDS OF BRAZOS COUNTY, TEXAS. FOR REFERENCE, CITY OF BRYAN GPS MONUMENT NO. 124 BEARS: N 64° 10' 40" E FOR A DISTANCE OF 678.73 FEET;

THENCE: S 28° 24' 14" E ALONG THE COMMON LINE OF SAID PHASES 4A AND 3A FOR A DISTANCE OF 465.92 FEET (PLAT CALL: S 25° 29' 10" E - 465.94 FEET, 7912/22) TO A POINT MARKING THE NORTHWEST CORNER OF A CALLED 46.8 ACRE TRACT OF LAND AS DESCRIBED BY A DEED TO JOHN RABORN RECORDED IN VOLUME 173, PAGE 3 OF THE DEED RECORDS OF BRAZOS COUNTY, TEXAS. SAID POINT MARKING THE EAST CORNER OF SAID LOT 1 AND THE SOUTHWEST CORNER OF LOT 19. FOR REFERENCE, A 5/8 INCH IRON ROD FOUND BEARS: S 58° 11' 25" E FOR A DISTANCE OF 0.57 FEET;

THENCE: S 43° 30' 37" W ALONG THE COMMON LINE OF SAID PHASE 4A AND SAID 46.8 ACRE TRACT FOR A DISTANCE OF 412.23 FEET (PLAT CALL: S 46° 25' 15" W - 412.23 FEET, 7912/22) TO A 1/2 INCH IRON ROD SET ON THE SOUTHEAST LINE OF SAID LOT 3 MARKING AN ANGLE POINT IS SAID COMMON LINE;

THENCE: S 41° 39' 48" W CONTINUING ALONG SAID COMMON LINE FOR A DISTANCE OF 211.95 FEET (PLAT CALL: S 44° 34' 26" W - 211.95 FEET, 7912/22) TO A 1/2 INCH IRON ROD FOUND MARKING THE SOUTH CORNER OF SAID LOT 3 AND THE EAST CORNER OF LOT 1, BLOCK 4, AUSTIN'S COLONY ESTATES PHASE 4B AS SHOWN ON SAID PLAT, 7912/22;

THENCE: S 41° 39' 48" W ALONG THE COMMON LINE OF SAID LOT 1, BLOCK 4 AND SAID 46.8 ACRE TRACT, PASS THE SOUTH CORNER OF SAID LOT 1, CONTINUE ON ALONG THE COMMON LINE OF SAID REMAINDER OF 405.010 ACRE TRACT AND SAID 46.8 ACRE TRACT FOR A TOTAL DISTANCE OF 710.04 FEET (PLAT CALL: S 44° 34' 26" W - 708.63 FEET, 7912/22)

TO A 1/2 INCH IRON ROD SET ON THE NORTHEAST LINE OF LOT 5, BLOCK 1, AUSTIN COLONY PHASE 12A ACCORDING TO THE PLAT RECORDED IN VOLUME 10515, PAGE 193 OF THE OFFICIAL PUBLIC RECORDS OF BRAZOS COUNTY, TEXAS. SAID IRON ROD SET MARKING THE WEST CORNER OF SAID 46.8 ACRE TRACT. FOR REFERENCE, A 1/2 INCH IRON ROD FOUND BEARS: S 52° 15' 43" E FOR A DISTANCE OF 18.55 FEET;

THENCE: N 53° 06' 12" W ALONG THE NORTHEAST LINE OF SAID LOT 5 FOR A DISTANCE OF 42.30 FEET (PLAT CALL AND MEASURED BEARING, 10515/193) TO A POINT MARKING THE NORTH CORNER OF SAID LOT 5. FOR REFERENCE, A 1/2 INCH IRON ROD FOUND BEARS: S 09° 03' 05" E FOR A DISTANCE OF 0.41 FEET;

THENCE: S 41° 11' 14" W ALONG THE NORTHWEST LINE OF SAID AUSTIN'S COLONY PHASE 12A, AT 192.11 FEET PASS A 1/2 INCH IRON ROD FOUND MARKING THE WEST CORNER OF SAID LOT 5, CONTINUE ON FOR A TOTAL DISTANCE OF 477.66 FEET (PLAT CALL AND MEASURED, 10515/193) TO A 1/2 INCH IRON ROD FOUND ON THE NORTHEAST LINE OF THORNBERRY DRIVE (80' R.O.W.) MARKING THE WEST CORNER OF LOT 1, BLOCK 1 OF SAID AUSTIN'S COLONY PHASE 12A. SAID IRON ROD FOUND MARKING THE BEGINNING OF A CLOCKWISE CURVE HAVING A RADIUS OF 2960.00 FEET. FOR REFERENCE, CITY OF BRYAN GPS MONUMENT NO. 32 BEARS: S 02° 16' 49" E FOR A DISTANCE OF 6265.07 FEET;

THENCE: ALONG THE NORTHEAST LINE OF THORNBERRY DRIVE FOR THE FOLLOWING CALLS:

> ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 00° 30' 30" FOR AN ARC DISTANCE OF 26.26 FEET (CHORD BEARS: N 44° 48' 56" W - 26.26 FEET) TO A 1/2 INCH IRON ROD SET MARKING THE END POINT OF SAID CURVE;
>
> N 44° 34' 56" W FOR A DISTANCE OF 43.91 FEET (DEED CALL: N 41° 41' 53" W - 43.91 FEET, 9740/187) TO A 1/2 INCH IRON ROD SET MARKING THE BEGINNING OF A CLOCKWISE CURVE HAVING A RADIUS OF 3146.67 FEET;
>
> ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 10° 11' 07" FOR AN ARC DISTANCE OF 559.37 FEET (CHORD BEARS: N 39° 29' 22" W - 558.64 FEET) TO A 1/2 INCH IRON ROD SET MARKING THE END POINT OF SAID CURVE AND THE BEGINNING OF A CLOCKWISE CURVE HAVING A RADIUS OF 2910.00;
>
> ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 05° 28' 49" FOR AN ARC DISTANCE OF 278.34 FEET (CHORD BEARS: N 31° 39' 25" W - 278.23 FEET) TO A 1/2 INCH IRON ROD SET MARKING THE END POINT OF SAID CURVE AND THE BEGINNING OF A CLOCKWISE CURVE HAVING A RADIUS OF 25.00 FEET;
>
> ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 88° 46' 07" FOR AN ARC DISTANCE OF 38.73 FEET (CHORD BEARS: N 15° 28' 03" E - 34.97 FEET) TO A 1/2 INCH IRON ROD SET ON THE SOUTHEAST LINE OF AUSTIN'S ESTATES DRIVE MARKING THE END POINT OF SAID CURVE;

THENCE: ALONG THE SOUTHEAST LINE OF AUSTIN'S ESTATES DRIVE FOR THE FOLLOWING CALLS:

N 59° 51' 07" E FOR A DISTANCE OF 465.05 FEET (DEED CALL: N 62° 44' 10" E - 465.05 FEET, 9740/187) TO A 1/2 INCH IRON ROD SET MARKING THE BEGINNING OF A COUNTER-CLOCKWISE CURVE HAVING A RADIUS OF 798.18 FEET;

ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 16° 46' 23" FOR AN ARC DISTANCE OF 233.66 FEET (CHORD BEARS: N 51° 28' 10" E - 232.83 FEET) TO A 1/2 INCH IRON ROD SET MARKING THE END POINT OF SAID CURVE AND THE BEGINNING OF A COUNTER-CLOCKWISE CURVE HAVING A RADIUS OF 1035.00 FEET;

ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 04° 06' 06" FOR AN ARC DISTANCE OF 74.09 FEET (CHORD BEARS: N 43° 05' 28" E - 74.08 FEET) TO A 1/2 INCH IRON ROD SET MARKING THE END POINT OF SAID CURVE;

N 41° 02' 12" E, PASS THE WEST CORNER OF SAID LOT 1, BLOCK 4, CONTINUE ON ALONG THE NORTHWEST LINE OF SAID LOT 1 FOR A TOTAL DISTANCE OF 244.09 FEET (PLAT CALL: N 43° 56' 50" E - 244.09 FEET, 7912/22) TO A 1/2 INCH IRON ROD FOUND MARKING THE NORTH CORNER OF SAID LOT 1, BLOCK 4 AND THE WEST CORNER OF LOT 4, BLOCK 2 OF SAID AUSTIN'S ESTATES PHASE 4A. FOR REFERENCE, GPS MONUMENT SWG A-53-W BEARS: N 00° 33' 58" E FOR A DISTANCE OF 4517.67 FEET;

THENCE: S 48° 21' 00" E ALONG THE COMMON LINE OF SAID LOTS 1 AND 4 FOR A DISTANCE OF 402.74 FEET (PLAT CALL: S 45° 26' 22" W - 402.74 FEET, 7912/22) TO A 1/2 INCH IRON ROD SET MARKING THE SOUTH CORNER OF SAID LOT 4;

THENCE: N 11° 51' 42" W ALONG THE COMMON LINE OF SAID LOTS 3 AND 4 FOR A DISTANCE OF 447.47 FEET (PLAT CALL: N 08° 57' 09" W - 447.43 FEET, 7912/22) TO A 1/2 INCH IRON ROD FOUND ON THE SOUTHEAST LINE OF AUSTIN'S ESTATES DRIVE MARKING THE COMMON CORNER OF SAID LOTS 3 AND 4. SAID IRON ROD FOUND MARKING THE BEGINNING OF A CLOCKWISE CURVE HAVING A RADIUS OF 465.00 FEET;

THENCE: ALONG THE SOUTHEAST LINE OF AUSTIN'S ESTATES DRIVE FOR THE FOLLOWING CALLS:

ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 04° 25' 10" FOR AN ARC DISTANCE OF 35.87 FEET (CHORD BEARS: N 68° 53' 54" E - 35.86 FEET) TO A 1/2 INCH IRON ROD FOUND MARKING THE END POINT OF SAID CURVE;

N 71° 06' 15" E FOR A DISTANCE OF 193.56 FEET (PLAT CALL: N 74° 02' 30" E - 193.35 FEET, 7912/22) TO A 1/2 INCH IRON ROD FOUND MARKING THE COMMON CORNER OF SAID LOTS 2 AND 3;

N 71° 17' 49" E FOR A DISTANCE OF 127.67 FEET (PLAT CALL: N 74° 02' 30" E - 127.82 FEET, 7912/22) TO A 1/2 INCH IRON ROD FOUND;

S 79° 09' 04" E FOR A DISTANCE OF 52.57 FEET (PLAT CALL: S 75° 49' 50" E - 52.56 FEET, 7912/22) TO A 1/2 INCH IRON ROD FOUND;

N 71° 15' 19" E FOR A DISTANCE OF 40.28 FEET (PLAT CALL: N 74° 02' 30" E - 40.41 FEET, 7912/22) TO A 1/2 INCH IRON ROD FOUND;

N 33° 22' 08" E FOR A DISTANCE OF 42.94 FEET (PLAT CALL: N 36° 21' 48" E - 43.16 FEET, 7912/22) TO A 1/2 INCH IRON ROD FOUND;

N 71° 06' 06" E FOR A DISTANCE OF 115.99 FEET (PLAT CALL: N 74° 02' 30" E - 115.81 FEET, 7912/22) TO THE **POINT OF BEGINNING** CONTAINING 30.291 ACRES OF LAND, MORE OR LESS**.**

EXCERPT FROM PLANNING AND ZONING COMMISSION REGULAR MEETING MINUTES OF JANUARY 16, 2014:

8. REQUESTS FOR APPROVAL OF ZONING CHANGES – A PUBLIC HEARING WILL BE HELD FOR EACH ITEM (Commission makes recommendation; City Council has final approval).

b. Rezoning RZ13-20: Grant Carrabba
*A request to change the zoning classification from Agricultural – Open District (A-O) to Residential District – 7000 (RD-7) on 30.3 acres of land out of John Austin League, A-2, located at the east corner of Thornberry and Austin's Estates Drives in Bryan, Brazos County, Texas.(*M. Zimmermann)

Mr. Zimmermann presented the staff report (on file in the Development Services Department). Staff recommends approval of the proposed rezoning.

In response to a question, Mr. Zimmermann stated that this is a continuation of the current Austin's Estates Subdivision development.

The public hearing was opened.

Mr. Elton Johnson, 3905 Ambrose Ct, Bryan, Texas, came forward to express concern about drainage and the creek behind his house. He wondered how development would affect the grading of the land.

The public hearing was closed.

Commissioner Gutierrez moved to recommend Rezoning case no. RZ13-20 to the Bryan City Council and to adopt the written staff report and analysis, as the report, findings and evaluation of this Commission. Commissioner Madison seconded the motion.

Commissioners discussed:

- appropriateness of the development

In response to a question, Mr. Zimmermann stated that any new development on the land would require Site Development Review Committee review and approval and that drainage is one of the items that are addressed through that process.

The motion passed unanimously.

PLANNING AND ZONING COMMISSION
STAFF REPORT

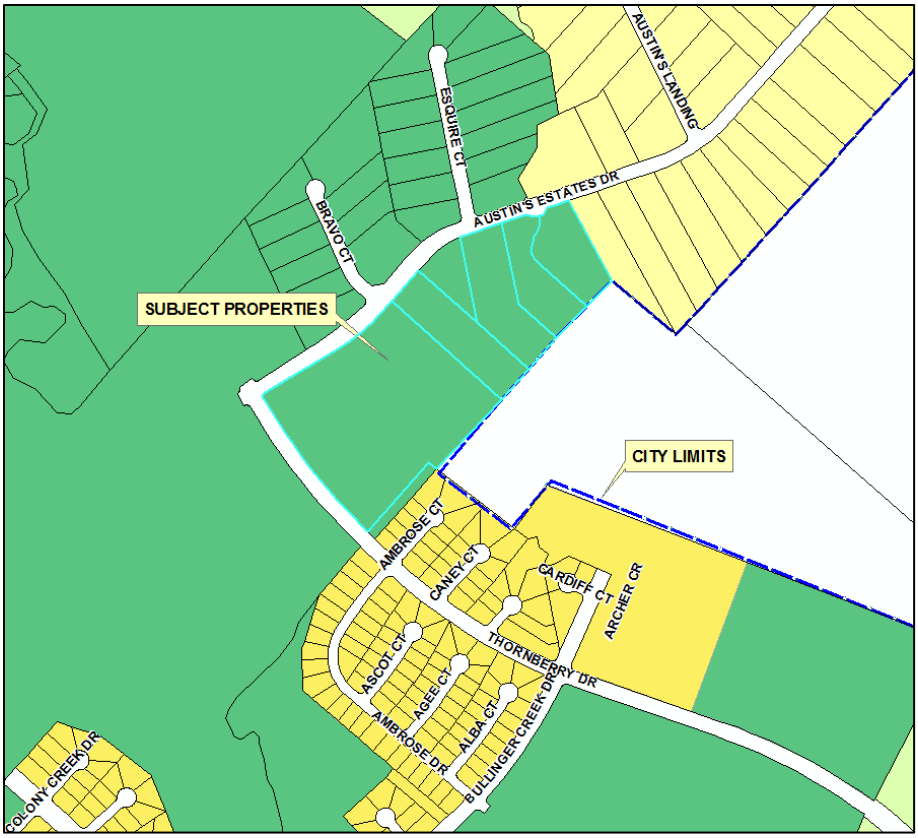
January 16, 2014

CITY OF BRYAN

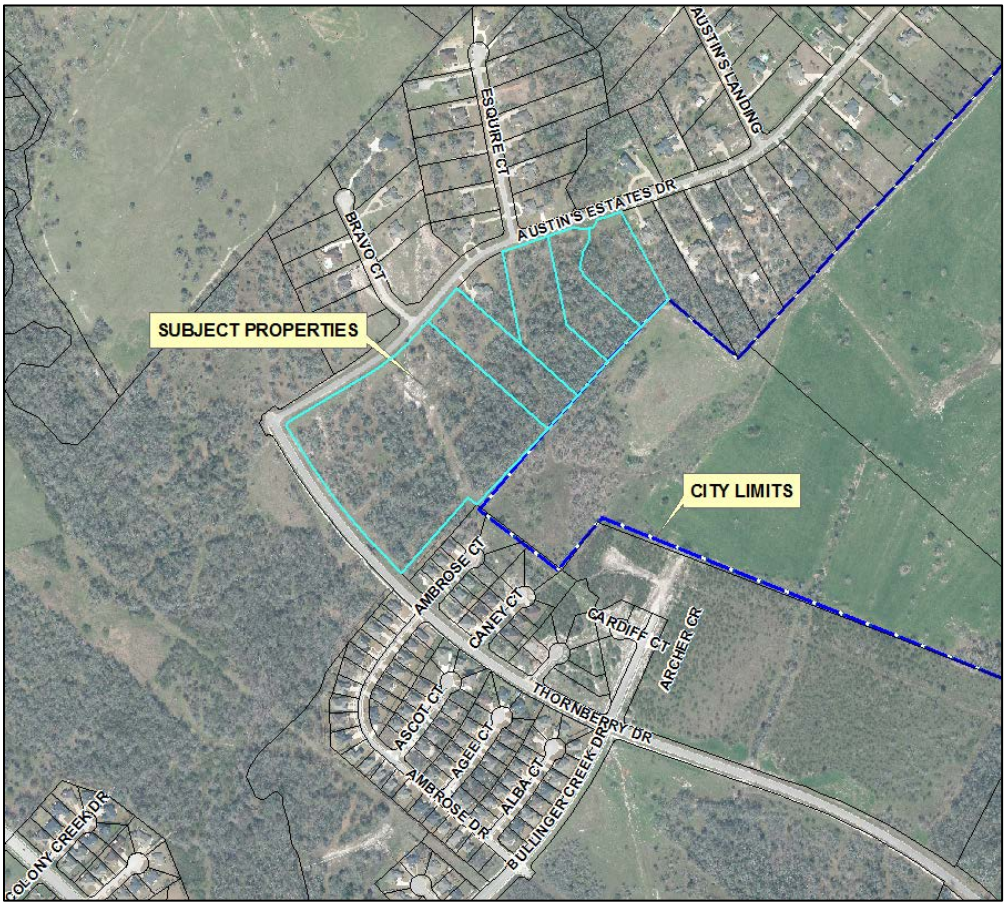
Rezoning case no. RZ 13-20: Grant Carrabba

CASE DESCRIPTION:	a request to change the zoning classification from Agricultural-Open (A-O) District to Residential District - 7000 (RD-7)
LOCATION:	30.3 acres of land located at the east corner of Thornberry and Austin's Estates Drives
LEGAL DESCRIPTION:	Lots 1-3 in Block 2 of Austin's Estates Subdivision - Phase 4A, Lot 1 in Block 4 of Austin's Estates Subdivision - Phase 4B, and 17.39 acres of land out of John Austin League, A-2 (proposed Phase 5 of Austin's Estates Subdivision)
EXISTING LAND USE:	vacant land
APPLICANT(S):	Grant Carrabba
AGENT:	Michael Hester, P.E.
STAFF CONTACT:	Martin Zimmermann, Planning Administrator

SUMMARY RECOMMENDATION: Staff recommends **approving** the proposed rezoning.



AERIAL PHOTOGRAPH (2013):



BACKGROUND:

The applicant/property owner, Mr. Grant Carrabba, is requesting to change the zoning on the subject property from Agricultural-Open District (A-O) to Residential District – 7000 (RD-7), to permit the proposed development of these 30+ acres with single-family residences. The subject property adjoins both Austin's Estates and Thornberry Drives. A master plan for Austin's Estates proposing a low-density residential development at this location was approved by the Planning and Zoning Commission on June 1, 2006.

The A-O zoning classification is intended to provide opportunities for development of low density, detached single-family residences on lots of at least one acre in a suburban or rural setting. This zoning classification is also intended to serve as a holding zone for vacant land areas annexed to the City as well as to protect areas that may be unsuitable for development and to preserve natural open space. The RD-7 zoning classification is intended to provide opportunities for development of detached dwellings on lots of at least 7,000 square feet in size.

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. The

Comprehensive Plan states that it is a goal of the City to achieve a balanced and sustainable mix of land uses within the City by planning for a mix of land use types in suitable locations, densities and patterns. Low-density residential land serves to provide housing and living units for a variety of people with a range of incomes and needs. It predominantly consists of detached single family dwellings but may consist of other housing types as long as densities remain low; up to 8 dwelling units per acre. City-wide land use policies articulated in the Comprehensive Plan suggest that single-family residential land uses should be located in areas that are protected from, but accessible to the major roadway network, commercial establishments, work places and entertainment 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.

   Staff believes that RD-7 zoning on these 30.3 acres is appropriate at this particular location and is not only in accordance with land use recommendations of the Comprehensive Plan, but also with the approved master plan for the Austin's Estates Subdivision. Staff believes that single-family residences at this location will promote orderly urban growth in close proximity to Harvey Mitchell Elementary School. Most of the existing Austin's Estates Subdivision, located north and northeast of the subject property, is already zoned RD-7 District.

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.

   Residential neighborhoods should be planned such that they form cohesive environments oriented toward elementary schools at their core. In this particular case, this proposed low-density residential subdivision is located near Harvey Mitchell Elementary School (approximately 0.5 mile southwest) and will have access to collector streets (Austin's Estates and Thornberry Drives). Any issues regarding utility capacity will be addressed at the time of 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.

   The closest vacant land zoned for residential development is located southeast from the subject property in the subdivision known as Austin's Colony – Phase 12. 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.

   Staff contends that residential developments are developing at a moderate pace in this vicinity and elsewhere in 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.

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 zone change to Residential District – 7000 on the subject properties. RD-7 zoning on this property appears to be consistent with the land use recommendations of the Bryan Comprehensive Plan and the adopted master plan for the Austin's Estates Subdivision.