ACTION FORM
BRYAN CITY COUNCIL

DATE OF COUNCIL MEETING:	June 9, 2015	**DATE SUBMITTED:**	May 21, 2015
DEPARTMENT OF ORIGIN:	Development Services	**SUBMITTED BY:**	Randy Haynes

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, by amending the development plan of a previously-approved Planned Development – Mixed Use District (PD-M) on approximately 71.3 acres of land out of the John H. Jones Survey, A-26, adjoining the northwest side of the intersection of South Traditions Drive and HSC Parkway in Bryan, Brazos County, Texas (RZ15-10).

SUMMARY STATEMENT: In 2001, the Bryan City Council approved rezoning case no. RZ01-05, which established the 790-acre planned development zoning district referred to as The Traditions at University Ranch. As adopted, the Traditions development plan was primarily focused on the residential portions of the project. Although retail and multifamily uses were envisioned and provided for, to date very little of that type of development has occurred.

As expected at the outset, the lengthy timeline of the overall project along with normally changing market conditions have resulted in the need to adjust the zoning on the subject property to suit pending development demands. Bryan Commerce and Development, the applicant, is requesting to amend the existing Planned Development – Mixed Use (PD-M) zoning proposing specific standards to govern development of 71+ acres out of The Traditions development. In addition, the proposed amendment significantly reduces the number of land uses that will be permitted within this portion of the district.

Several notable modifications from standard development requirements are proposed. Examples include:

- the increase in allowed density from 25 dwelling units per acre for multi-family residential developments to a maximum of 80 dwelling units per acre;
- modified off-street parking requirements to allow the use of shared parking arrangements to reduce the development footprint as well as short and long term expenses;
- increased maximum allowable building height from 35 feet to 120 feet with no additional building setback requirement for building heights over 35 feet;
- 52 land uses normally allowed within the City's standard Retail District (C-2) zoning classification are eliminated from the list of allowed uses in the proposed development plan;
- pedestrian infrastructure requirements are heavily augmented to encourage walkability and promote human-scale surroundings;
- landscaping requirements have been modified to redirect the focus of installation and maintenance of landscaping from individual buildings to the area as a whole in order to support the overall goal of providing a human-scale setting, a sheltered and comfortable walking environment, and an interesting and engaging visual experience at the pedestrian level.

The proposed development plan for these 71+ acres is intended to produce a more closely controlled development and use environment. It is the desire of Bryan Commerce and Development to ensure and safeguard the high-quality planning and construction needed to support the successful, sustainable business climate envisioned by past City Councils.

STAFF ANALYSIS AND RECOMMENDATION: During its meeting on May 21, 2015, the Planning and Zoning Commission concurred with staff and unanimously recommended approving this rezoning request.

- A change of the zoning designation to PD-M is appropriate for the subject tract and consistent with land use recommendations of Bryan's Comprehensive Plan.
- Introducing the limited mix of residential, office and retail uses on the subject property will be appropriate in the immediate area and will serve as an appropriate transition between the existing generally residential environment and the Health Science Center campus.
- The current mixture of zoning classifications and development standards of the subject property will not allow development to the best and highest use.

OPTIONS (In Suggested Order of Staff Preference):

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

ATTACHMENTS:

1. location map/aerial photograph;
2. draft ordinance;
3. excerpt from Bryan Commerce and Development meeting minutes of January 27, 2015;
4. excerpt from draft P&Z meeting minutes of May 21, 2015; and
5. staff report to the Planning & Zoning Commission.

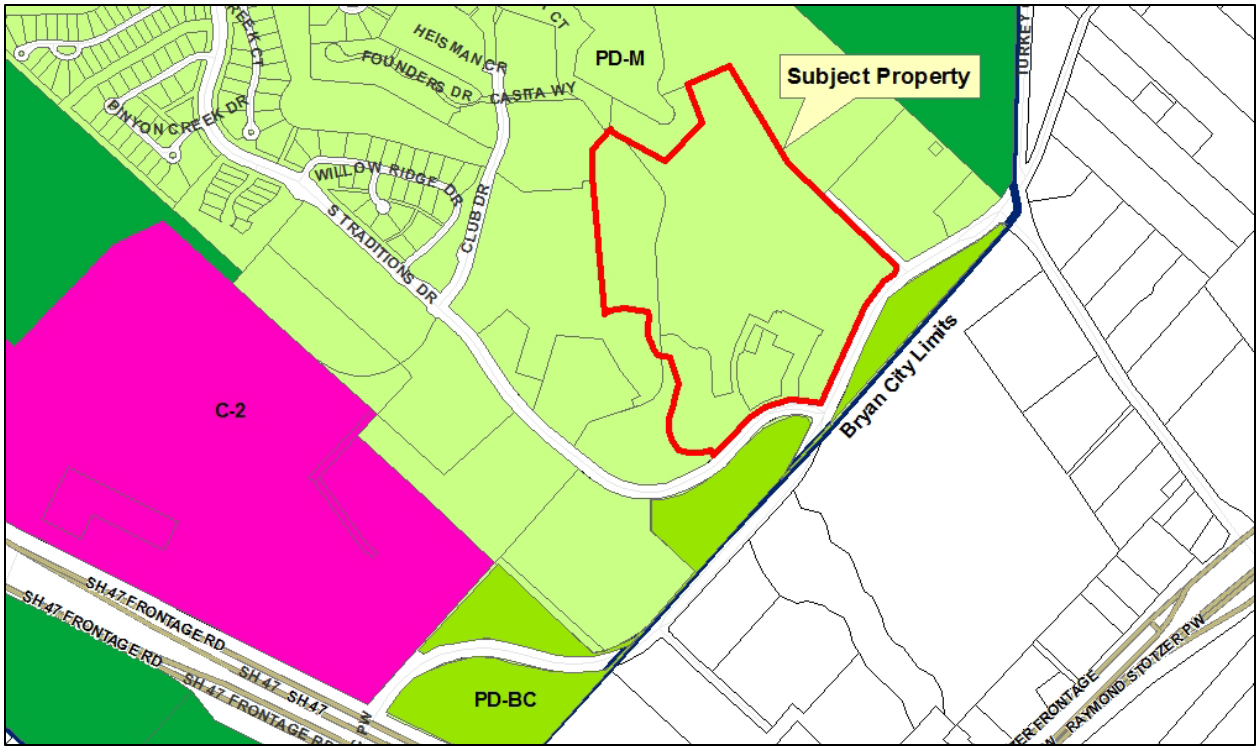
FUNDING SOURCE: **N/A**

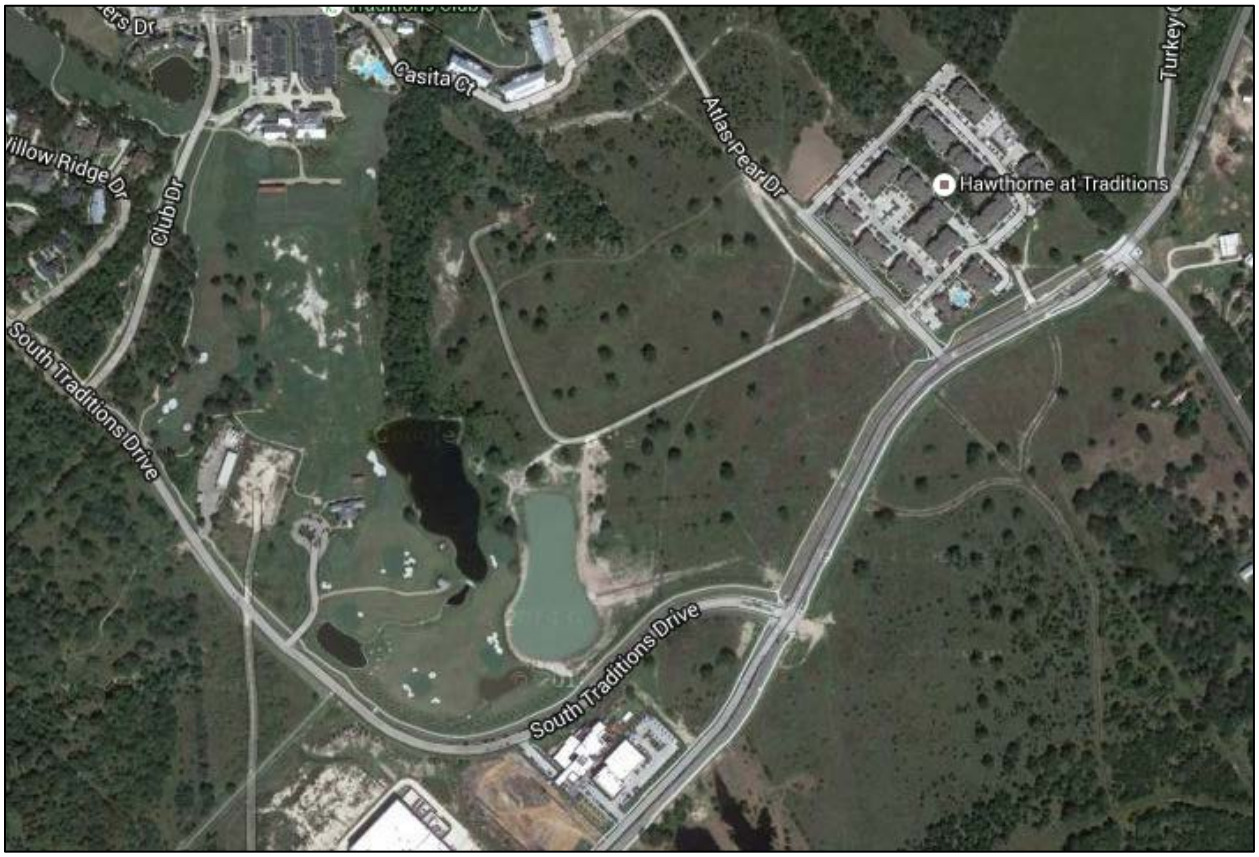
APPROVALS: Kevin Russell, 5-20-15; Joey Dunn, 5-20-15; Hugh R. Walker, 05/27/2015

APPROVED FOR SUBMITTAL: CITY MANAGER Kean Register, 06/01/2015

APPROVED FOR SUBMITTAL: CITY ATTORNEY Janis K. Hampton, 06/01/2015

Revised 05/2013


Subject Property
PD-M
C-2
PD-BC
Bryan City Limits
HEISMAN CR
FOUNDERS DR
CASITA WY
PINYON CREEK DR
WILLOW RIDGE DR
CLUB DR
S TRADITIONS DR
SH 47 FRONTAGE RD
SH 47
TURKEY
RAYMOND STOTZER PW


Casita Ct
Atlas Pear Dr
Hawthorne at Traditions
Willow Ridge Dr
Club Dr
South Traditions Drive
South Traditions Drive
Turkey

ORDINANCE NO._____

AN ORDINANCE OF THE CITY OF BRYAN, TEXAS, AMENDING CHAPTER 130, ZONING, OF THE CITY OF BRYAN CODE OF ORDINANCES, BY AMENDING THE DEVELOPMENT PLAN OF A PREVIOUSLY-APPROVED PLANNED DEVELOPMENT – MIXED USE DISTRICT (PD-M) ON APPROXIMATELY 71.3 ACRES OF LAND OUT OF THE JOHN H. JONES SURVEY, A-26, ADJOINING THE NORTHWEST SIDE OF THE INTERSECTION OF S. TRADITIONS DRIVE AND HSC PARKWAY 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, amending the development plan of a previously-approved Planned Development – Mixed Use District (PD-M) on approximately 71.3 acres of land out of the John H. Jones Survey, A-26, adjoining the northwest side of the intersection of S. Traditions Drive and HSC Parkway in Bryan, Brazos County, Texas, was recommended for approval by the Bryan Planning and Zoning Commission during a regular meeting on May 21, 2015;

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 amending the development plan of a previously-approved Planned Development – Mixed Use District (PD-M) on approximately 71.3 acres of land out of the John H. Jones Survey, A-26, adjoining the northwest side of the intersection of S. Traditions Drive and HSC Parkway, subject to development requirements specified in attached Exhibit "A" which are herein fully incorporated by reference for all purposes as if they were set forth in the text of the ordinance.

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 9th day of June, 2015 at a regular meeting of the City Council of the City of Bryan, Texas; and given second reading, PASSED AND APPROVED on the ____day of _____, 2015 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":
PD-M DISTRICT DEVELOPMENT PLAN

Development requirements for Planned Development – Mixed Use District (PD-M), hereinafter also referred to as "the District" or "this District", allowing certain residential, office and retail uses on 71.3 acres of land out of J.H. Jones Survey, Tract 56 adjoining the northwest side of HSC Parkway between South Traditions Drive and Atlas Pear Drive in Bryan, Brazos County, Texas

BOUNDARY EXHIBIT: (Figure 1)

Note: The image above is appended here to communicate the boundaries of the 71.3 acre subject property. The depiction of the site layout within those boundaries is merely conceptual in nature and is in no way meant for use to regulate future site design within this district.

Section 1: General Purpose and Description

This development plan is intended to guide planning of land use and physical development on the subject property. This PD-M development plan is envisioned as a tool to help stabilize and improve property utilization, to facilitate appropriate use of the property, ensure protection of surrounding properties from foreseeable negative impacts resulting from permitted uses, to strengthen the area economy and to promote the general welfare of the community.

Section 2: Definitions

CU-Structural Soil™ means a soil and stone medium that can be compacted to pavement design and installation requirements while permitting root growth. It is a mixture of gap-graded gravels (made of crushed stone), clay loam, and a hydrogel stabilizing agent to keep the mixture from separating. It provides an integrated, root penetrable, high strength pavement system that shifts design away from individual tree pits. CU-Structural Soil™ was researched and developed in the 1990's by Cornell University's Urban Horticulture Institute. It is marketed as CU-Structural Soil for quality control and is produced by a network of licensed companies. Other companies have formed their own brand of structural soil based on Cornell's work.

Drivescape means the visual elements of a non-publicly owned system of internal pathways on private property designed to accommodate automobiles, bicycles and pedestrians, including the drive surface, adjoining buildings, sidewalks, furniture, trees and open spaces, etc., that combine to form the physical character.

Monument sign shall mean a freestanding sign that is detached from a building and having a support structure that is a solid-appearing base constructed of a permanent material, such as metal, stone, concrete block or brick.

Pedestrian-level lighting means lights along driveways or streets that primarily function to illuminate pedestrian areas such as sidewalks. Typically pedestrian-level lights are pole-mounted fixtures less than 18 feet tall that are part of a secondary lighting system that helps define a positive urban character and supports nighttime activities. Because the quality of visual information is critical for traffic safety and pedestrian safety and security, pedestrian level lighting should be designed not only for vehicular traffic on driveways and streets, but also for pedestrians on sidewalks and pedestrian paths. Light fixtures should be spaced with regard to trees and other street furnishings as part of a coherent and complete streetscape design. The impact of glare should be mitigated by selecting proper optical design.

Pole mounted sign means a freestanding sign in excess of six feet in height that is detached from a building and is supported by one or more structural elements that are either: (a) architecturally dissimilar to the design of the sign; or (b) less than 50% the width of the sign face.

Streetscape means the visual elements of a public street, including the road, adjoining buildings, sidewalks, street furniture, trees and open spaces, etc., that combine to form the street's character

Section 3: Land Use:

The following land uses shall be permitted by right in this PD-M zoning district. Land uses that are not expressly defined in this PD-M District ordinance or in the Bryan Code of Ordinances have their ordinary dictionary meanings, based on the latest edition of Merriam-Webster's Unabridged Dictionary.

- Accessory or incidental uses to the main use;
- Banks, savings and loans or credit union offices;
- College or university;
- Essential municipal uses;

- Fitness center;
- General office use (professional, administrative);
- Government (federal or state) owned structures, facilities, or uses;
- Hotel;
- Kiosk;
- Medical facilities or clinics;
- Multiple family dwellings;
- Museum/art gallery;
- Night club or tavern;
- Nursing home (retirement home);
- Personal service shop or custom personal services;
- Pharmacies;
- Studio;
- Restaurant;
- Recreational/community center;
- Retail services (including incidental uses);
- Schools;
- Temporary structures for uses incidental to construction work on the premises;
- Theater—Indoor or outdoor;
- Townhouse;
- Veterinary services (no outdoor pens or runs).

Section 4: Physical Development

The following standards are intended to guide site and building design in this PD-M District in order to:

- Ensure the creation of a human-scale environment;
- Ensure that building entryways are convenient and easily accessible from the roadside pedestrian system;

- Ensure that trees or man-made shading devices are used alongside driveways, streets and connecting sidewalks to businesses to encourage pedestrian activity by providing a sheltered and comfortable walking environment;
- Ensure that the development will provide an interesting and engaging visual experience at the pedestrian level; and,
- Ensure that site and building design decisions are made with health, energy efficiency, long-term maintenance and the environment in mind.

A. Physical development of office and retail projects in this District shall comply with the development standards and limitations of the City of Bryan Code of Ordinances that generally apply to properties zoned Office District (C-1) subject to any modifications specified herein.

B. Townhouses and multi-family residential projects shall comply with the standards and limitations of the City of Bryan Code of Ordinances that generally apply to properties zoned Multiple-Family District (MF).

C. When a project includes office and/or retail as well as multi-family residential as part of a mixed-use development, the project shall comply with the development standards and limitations of the City of Bryan Code of Ordinances that generally apply to properties zoned Office District (C-1).

D. The following additional physical development standards shall also apply:

1) Building Design Standards: The exterior design of all structures within this District shall comply with those design standards and guidelines made part of the property covenants and conditions and restrictions as adopted and amended by the governing property owner's association or its assigns.

   When the design standards and guidelines made part of the property covenants and conditions and restrictions are silent regarding any aspect of structure design or appearance, the structure shall comply with the major corridor development standards and limitations found within the City of Bryan Code of Ordinances, Chapter 62, land and Site Development.

2) Residential Density: The maximum residential density within this District shall be 80 dwelling units per acre.

3) Minimum Building Setback: The minimum required building setback from any public right-of-way shall be 15 feet. In all other cases, including lots created by means of a subdivision plat in accordance with City of Bryan Code of Ordinances Chapter 110, Subdivisions, and accessible to a public right-of-way only by access easement, no minimum building setbacks from property lines shall be required.

4) Maximum Building Height: The maximum building height within this District shall be 120 feet measured from grade level. No additional building setback from property lines shall be required for buildings of more than 35 feet in height.

5) Freestanding Signage: Freestanding signage within the development shall be of the monument type and have a maximum height of 6 feet and a maximum overall area of 50 square feet. One such monument sign shall be permitted for any single use exclusively occupying a separate freestanding structure with more than 1,500 square feet of gross floor area.

   a) A maximum of two monument signs shall be allowed within a landscape reserve area along the right of way lines of South Traditions Drive and HSC Parkway. Independent of surrounding landscaping or other such natural materials, such signage shall have a maximum height of 8 feet and a maximum overall area of 64 square feet.

   b) Pole mounted signs shall be prohibited.

   c) All signage illumination shall be provided with direct or halo-style lighting only.

   d) Internally illuminated thermoformed plastic signs shall be prohibited.

6) Landscape Reserve Area: To provide an attractive streetscape along public rights of way adjacent to the District and a unifying design element of the development, except for driveway openings, a 40-foot wide landscape reserve area shall be installed and maintained along South Traditions Drive and a 30-foot wide landscape reserve area shall be installed and maintained along HSC Parkway.

   a) No parking, maneuvering, or loading areas may be located within the landscaped reserve areas along South Traditions Drive and HSC Parkway.

   b) Except as allowed in section 4.D.5) a) above, signage or above-ground stormwater detention areas may not be placed within the landscape reserve areas along South Traditions Drive and HSC Parkway.

   c) In-ground stormwater control devices, such as rain gardens or bio swales, shall be permitted within the landscape reserve areas along South Traditions Drive and HSC Parkway.

7) Landscaping Requirements: Landscaping shall be provided for the following purposes:

   - to make available a healthy, walkable environment for residents, customers, guests and other users;
   - to provide visual interest;
   - to remove, reduce or absorb the impact between one use and another;
   - to break up and reduce the impact of surface parking areas;
   - to obscure the view of parking, loading and service areas; and,
   - to provide protection from soil erosion.

   a) To the maximum extent feasible, where significant natural and scenic resource assets exist on the property, the developer shall give priority to its preservation as common open space.

b) Within the District the developer shall provide a minimum of 15 percent of the total area of the District as shared open space for use of the residents, employees, and visitors. Separate and apart from the normal water surface area of Lake Atlas and the natural conservation area adjacent and east of the driving range and adjacent and southeast of Casita Court (Lot 1B in Block 1 of The Traditions Subdivision – Phase 16), a minimum of 50 percent of said open space shall be divided into no less than 3 tracts, within each such tract shall be installed and maintained landscaping with such point credit value equivalent to 15 percent of the total area of each tract. Plant material credit values may be found in the City of Bryan Code of Ordinances Chapter 62, Land and Site Development. Plantings in areas not credited towards satisfaction of this requirement shall include:

- drivescape or streetscape areas; and
- landscaped surface parking facilities

c) Landscape plantings shall be required in connection with the development of surface parking lots in an area equal to 10% of the gross area of the lot.

d) All required landscaping shall be maintained in healthy condition at all times by the property owner.

e) In the event any required landscaping material dies or is destroyed by any cause, it shall be replaced by the property owner within 3 months. Specific notification from the City of Bryan of the obligation to replace shall not be required, however if such notice is issued, replacement shall occur within 30 days of said notice.

f) Replacement material shall conform to the original intent of the landscaping plan that was approved by the City of Bryan for that area.

g) Landscaping within off-street parking lot end islands is permitted but not required.

h) All landscaping installed in this District shall be irrigated by an automated irrigation system.

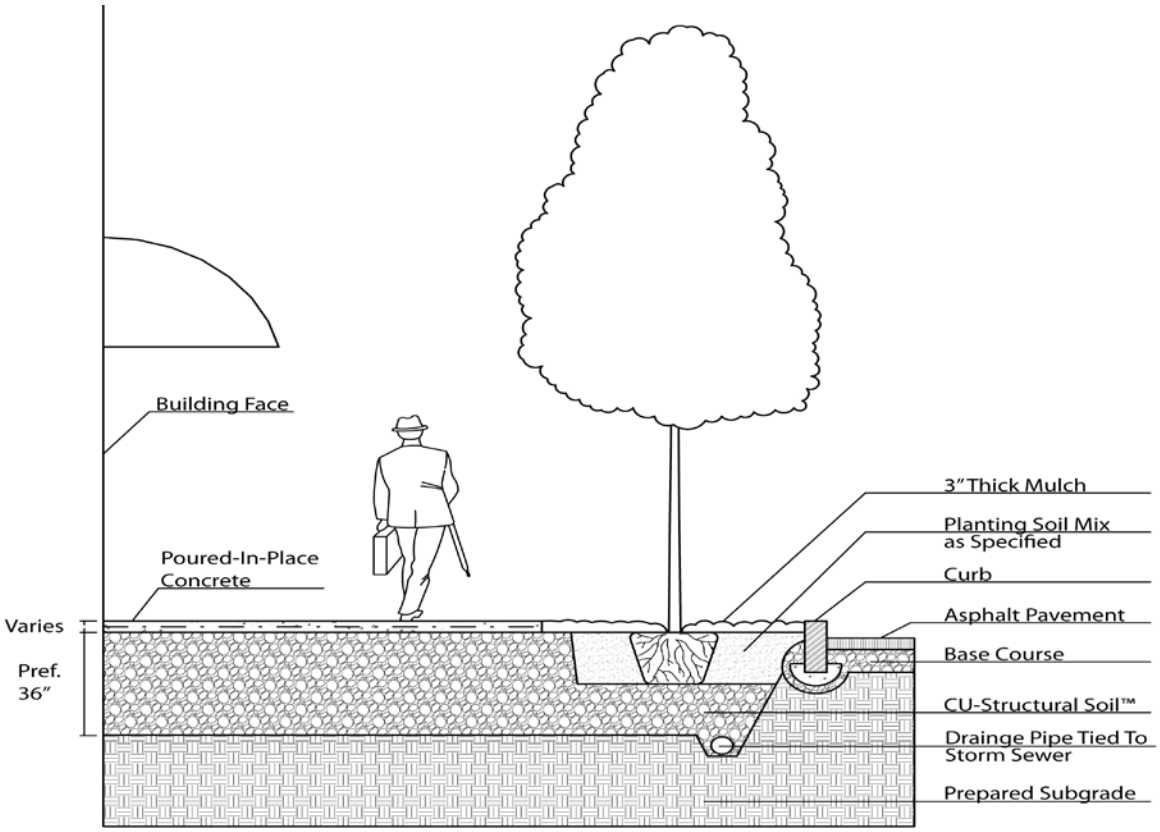
i) Trees installed in compliance with the requirements of this District shall be container grown, at least 10 feet in height above surrounding grade at the time of planting, with a minimum 3-inch caliper measured one foot above the ground.

j) To provide flexibility to employ formal landscape design or an approach more informal in nature, canopy trees shall be planted in a quantity of one tree per 30 feet of length along both sides of internal driveways or streets.

k) All drivescape and streetscape planting areas shall be installed as per manufacturer's specifications utilizing CU-Structural Soil™ by Amereq, Inc., or an equivalent, subject to approval by the City Engineer. Structural soil is an urban tree mix that can safely support pavements and sidewalks and is designed to provide ample rooting area for street trees, decreasing tree mortality and sidewalk failure. See example figure 2 below.

l) Upon review by the City Engineer and the City Planner, variations to the requirement that structural soil be employed may be approved if the landscape plan is sealed by a registered landscape architect. Such alternative plans must show reasonable evidence that the requirements as set forth in this section were used as a guide and the stated purposes of this section have been realized.

EXAMPLE, UTILIZING CU-STRUCTURAL SOIL™: (Figure 2)



8) Parking and Circulation: Unless modified herein, the requirements of the Bryan Code of Ordinances for parking and circulation shall apply within the District.

a) As an alternative to the regulations specifying the amount of parking required found in the City of Bryan Code of Ordinances Chapter 62, Land and Site Development, shared parking strategies may be employed to allow for a more compact, efficient and lower impact development footprint.

1. Upon selection of such a method, the minimum number of parking spaces may be determined by a study commissioned by the applicant/developer, following the procedures of the *Urban Land Institute Shared Parking Report*, *ITE Shared Parking Guidelines*, or other approved procedures. The study must be submitted

to the City's Site Development Review Committee (SDRC) for review and acceptance.

2. All shared parking areas shall be located no more than 500 feet from each such use for which the shared parking arrangement was established.

3. At all times clear, safe pedestrian connections must be provided.

b) 90-degree parking spaces shall conform to the standards shown in Figure 5 below.

c) Parallel and angled parking spaces shall be allowed along internal driveways and private streets within this District in accordance with the dimensions depicted in Figures 3 and 4 below, unless along designated fire lanes as may be required by the City's most recent adopted Fire Code.

d) Parking spaces not located on internal driveways or private streets within this development, but in designated parking lots shall comply with the following standards:

1. Parking lots with 10 spaces or more, when located in such a manner that parked vehicles are visible from an adjacent driveway or street, screening shall be required between the parking spaces and all such driveways or streets.

2. Required screening shall have a minimum height of three feet above the grade of the parking surface at the time of planting.

3. A dense vegetative planting incorporating trees and/or shrubs of a variety that shall be equally effective in winter and summer.

4. Plantings shall be adequately spaced to from a solid continuous visual screen within one year after the initial installation.

5. As an alternative to landscape screening, a non-living opaque structure such as a solid masonry wall may be employed

9) <u>Internal Transportation Network Standards:</u> The following special design requirements for internal driveways, private and public streets within this District shall be observed to provide and promote a pedestrian-oriented environment. These requirements are also illustrated on Figures 3 and 4 below,

a) The minimum two-way drive lane width of all internal driveways, private and public streets shall be 24 feet.

b) Safety crossing treatments shall be required at the location of all pedestrian cross-walks and at all driveway /street intersections. At minimum such safety crossing treatment shall

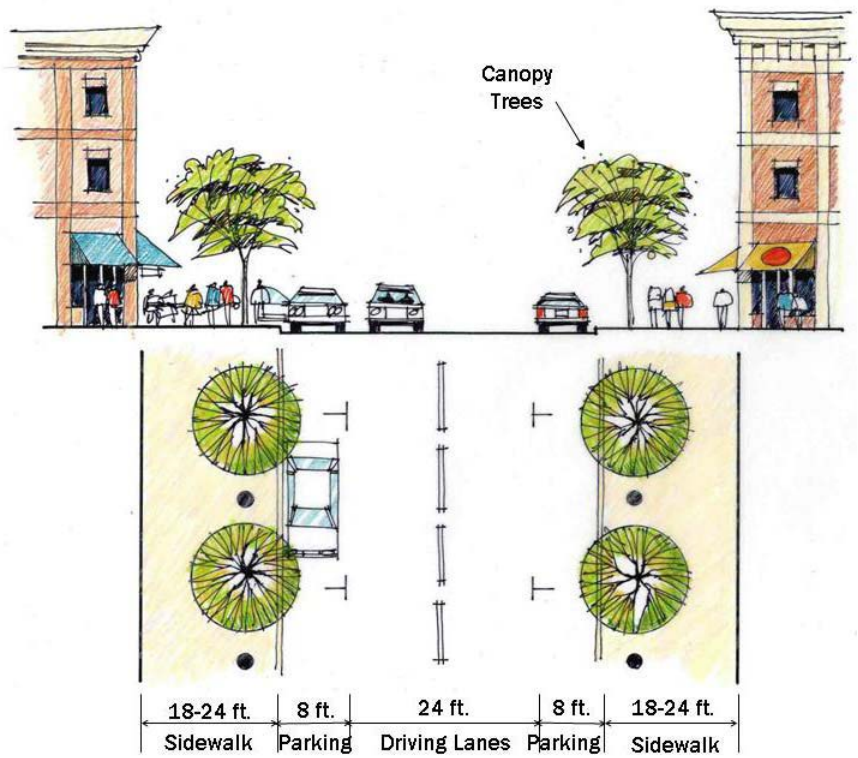
comply with the Manual on Uniform Traffic Control Devices (MUTCD) in use at time of development.

c) A minimum of 40 feet of throat depth shall be provided in all directions where primary driveways or streets intersect. A minimum of 20 feet of throat depth shall be provided where primary driveways or streets transition into parking lots.

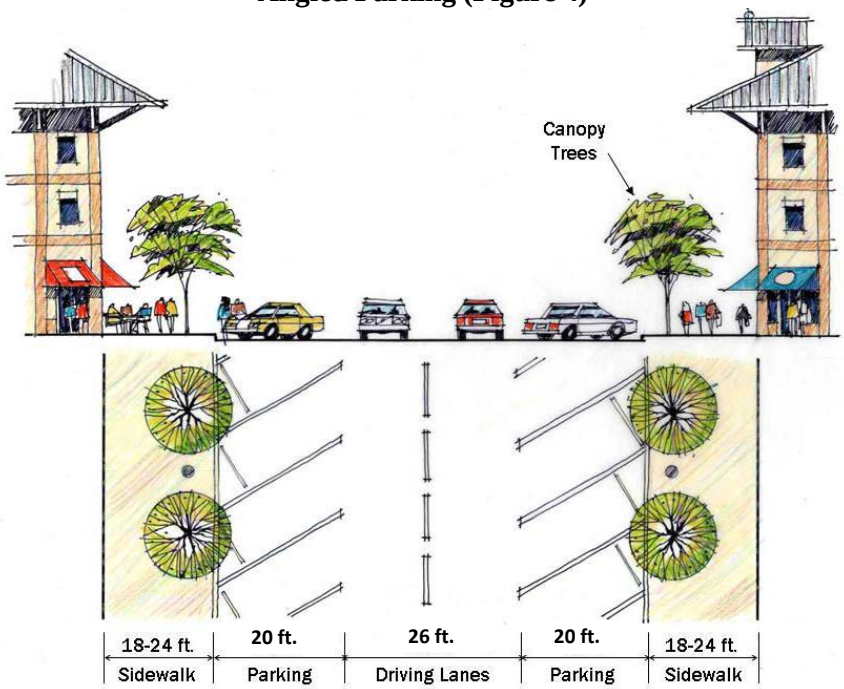
d) Combination sidewalks/drivescape/streetscape areas a minimum width of 18 feet shall be required along both sides of internal driveways or streets.

e) To adequately provide for safety and comfort, pedestrian-level lighting shall be installed along both sides of internal driveways and streets.

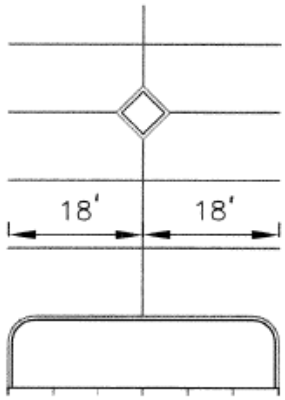
Parallel Parking (Figure 3)



Angled Parking (Figure 4)



90º Parking (Figure 5)



Section 5: Subdivision of Land

The subdivision of land in this District shall be allowed in accordance with Chapter 110 of the Bryan Code of Ordinances. The following standard shall also be applicable to the subdivision of land within this District:

1) Vehicular access easements will be permitted to provide access to properties which do not have direct frontage onto public rights-of-way.

2) Within this District, shared parking areas and internal driveways shall be encompassed and documented by access easements stating the specific rights of all parties and recorded in the Official Public Records of Brazos County.

BRYAN COMMERCE AND DEVELOPMENT MEETING MINUTES OF JANUARY 27TH, 2015:

BRYAN COMMERCE AND DEVELOPMENT, INC.
MINUTES OF BOARD OF DIRECTORS MEETING
JANUARY 27, 2015

The Board of Directors of Bryan Commerce and Development, Inc., met on Tuesday, January 27, 2015, in Room 305 of the Bryan Municipal Building, a notice of said meeting having been posted at least 72 hours in advance in accordance with Section 551, Texas Government Code. Board President Jason Bienski and Board Members Rafael Peña, Greg Owens, Mike Southerland, Art Hughes and Chuck Konderla were present. Board Member Al Saenz joined the meeting at 3:15 p.m. Also present were Treasurer Kean Register and Secretary Mary Lynne Stratta.

1. **CALL TO ORDER**

   The meeting was called to order at 2:25 p.m.

2. **EXECUTIVE SESSION**

   The meeting was called into executive session at 2:26 p.m. under the provisions of Section 551, Texas Government Code, to discuss under the authority of Section 551.071, consultation with attorney - receive legal advice regarding possible sale or lease of property in central Bryan; under the authority of Section 551.072, real estate – discuss possible sale, lease or conveyance of real property in west and central Bryan; and under the authority of Section 551.087 – economic development - discussion regarding economic development negotiations for prospect in central Bryan and the biocorridor.

3. **OPEN SESSION FOR ACTION FOLLOWING EXECUTIVE SESSION**

   The meeting was called into open session at 3:15 p.m. No action was taken regarding the items discussed in executive session.

4. **APPROVAL OF MINUTES** – Meetings of December 2, 2014, and January 13, 2015

   Mr. Hughes made a motion to approve the minutes as presented. The motion was seconded by Mr. Owens and carried with all present voting aye.

5. **CONSIDERATION – INITIATING AN AMENDMENT TO TRADITIONS PLANNED DEVELOPMENT ZONING DISTRICT**

   Mr. Konderla moved to authorize the President of Bryan Commerce and Development to sign an application initiating an amendment to the Traditions PD-M Planned Development Zoning District to modify land uses and development standards within the area known as the Atlas Town Center, generally located to the south of Traditions Drive, Health Science Center Parkway and Atlas Pear Drive in Bryan, Brazos County, Texas. The motion was seconded by Mr. Owens. Discussion followed that the Planned Development (PD) zoning of the area was done in 2001 and was out of date with the current zoning ordinance. The benefits of rezoning the property were discussed, including the City being able to specify the desired components of the development in the subject area. The motion carried unanimously.

EXCERPT FROM PLANNING AND ZONING COMMISSION REGULAR MEETING MINUTES OF MAY 21, 2015:

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

   a. **Rezoning RZ15-10: Bryan Commerce and Development**
   A request to amend the development plan of a previously-approved Planned Development – Mixed Use District (PD-M) on approximately 71.3 acres of land out of the John H. Jones Survey, A-26, adjoining the northwest side of the intersection of S. Traditions Drive and HSC Parkway Bryan, Brazos County, Texas. (R. Haynes)

   Mr. Haynes presented the staff report (on file in the Development Service Department). Staff recommends approval of the request.

   Commissioner Madison entered the meeting at 6:10 pm.

   In response to questions, Mr. Haynes responded:
   - Staff has consulted with the potential developers of the land encompassed within this request and the proposed regulations have generally met their approval.
   - Some elements included in the regulations for this rezoning request could conceivably make their way into future development regulations. However, many of the regulations corresponding to this rezoning request are specifically designed for this case.
   - Land uses permitted by right for the land encompassed in this rezoning request have been limited to prevent undesired uses from being developed.

   The public hearing was opened.

   No one came forward.

   The public hearing was closed.

   Commissioner Hickle moved to recommend approval of Rezoning RZ15-10 and the requested amendment to the Traditions development Planned Development –Mixed Use District (PD-M) for these 71.3 acres to the Bryan City Council, and to adopt the written staff report and analysis, as the report, findings and evaluation of this Commission. Commissioner Gutierrez seconded the motion.

   Commissioners discussed
   - their appreciation to staff for their work on this project; and
   - the importance of the Traditions development to the City of Bryan as well as to the BioCorridor.

   The motion passed unanimously.

PLANNING AND ZONING COMMISSION
STAFF REPORT

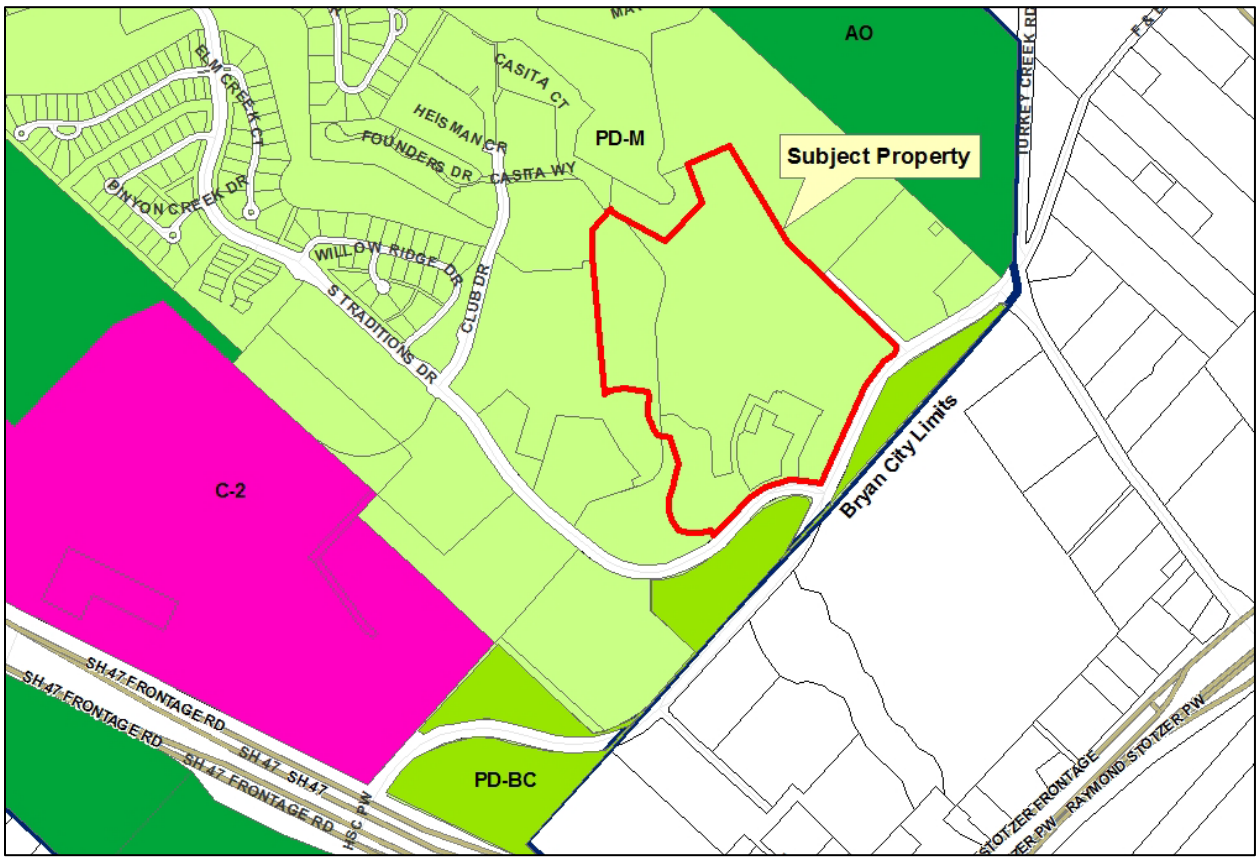
May 21, 2015

CITY OF BRYAN

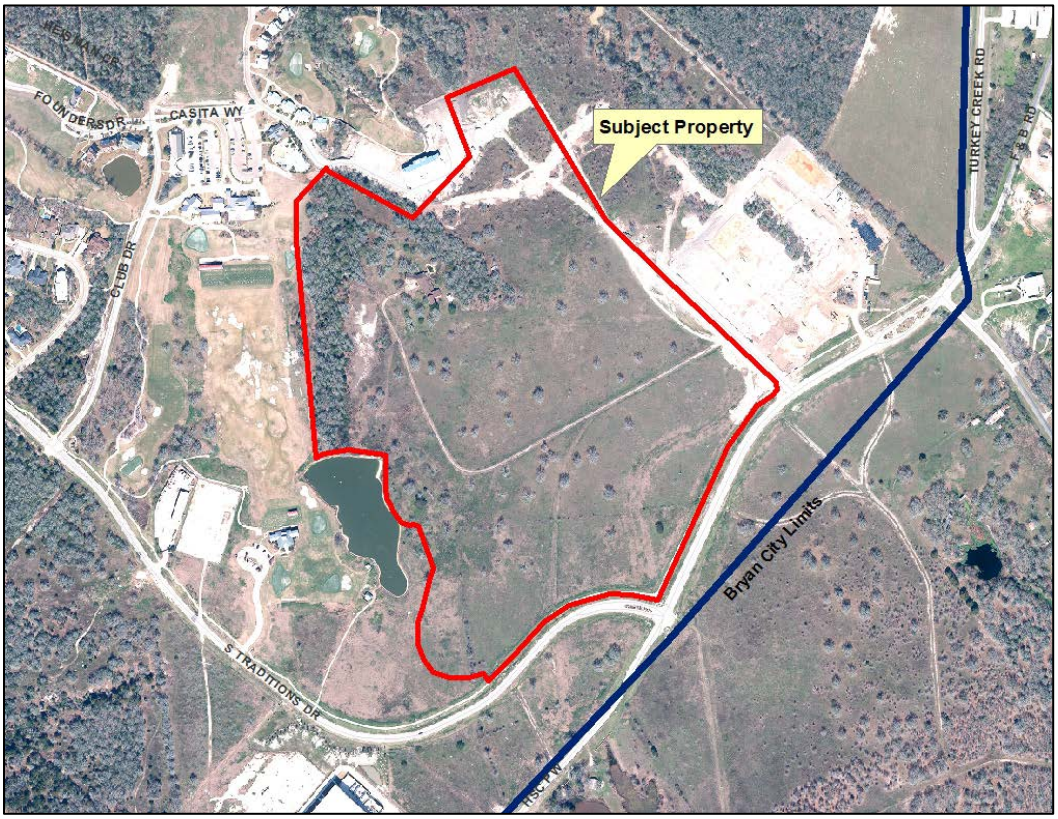
Rezoning case no. RZ 15-10: Bryan Commerce & Development

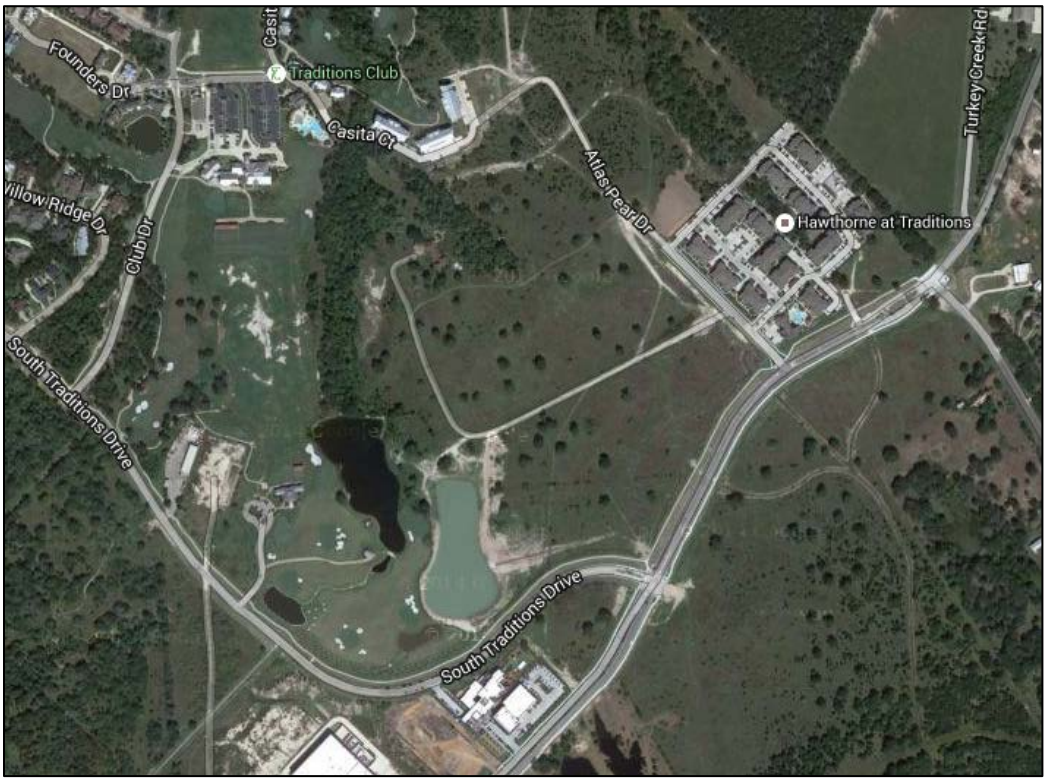
CASE DESCRIPTION:	a request to amend the development plan of a previously-approved Planned Development – Mixed Use District (PD-M)
LOCATION:	northwest side of the intersection of South Traditions Drive and HSC Parkway
LEGAL DESCRIPTION:	approximately 71.3 acres of land out of the John H. Jones Survey, A-26
EXISTING LAND USE:	vacant land
APPLICANT(S):	Bryan Commerce & Development
STAFF CONTACT:	Randy Haynes, Senior Planner

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



AERIAL PHOTOGRAPHS (2013 AND 2014):





BACKGROUND:

In 2001, the Bryan City Council approved rezoning case no. RZ01-05 which established the 790-acre planned development zoning district referred to as The Traditions at University Ranch. As adopted, the Traditions development plan was primarily focused on the residential portions of the project. Although retail and multifamily uses were envisioned and provided for, to date very little of that type of development has occurred.

As expected at the outset, the lengthy timeline of the overall project along with normally changing market conditions have resulted in the need to adjust the zoning on the subject property to suit pending development demands. Bryan Commerce and Development, the applicant, is requesting to amend the existing Planned Development – Mixed Use (PD-M) zoning proposes specific standards to govern development of 71+ acres out of The Traditions development. In addition, the proposed amendment significantly reduces the number of land uses that will be permitted within this portion of the district.

Several notable modifications from standard development requirements are proposed. Examples include:

- the increase in allowed density from 25 dwelling units per acre for multi-family residential developments to a maximum of 80 dwelling units per acre;
- modified off-street parking requirements to allow the use of shared parking arrangements in order to reduce the development footprint as well as short and long term expenses;
- increased maximum allowable building height from 35 feet to 120 feet with no additional building setback requirement for building heights over 35 feet;
- 52 land uses normally allowed within the City's standard Retail District (C-2) zoning classification are eliminated from the list of allowed uses in the proposed development plan;
- pedestrian infrastructure requirements are heavily augmented to encourage walkability and promote human-scale surroundings;
- landscaping requirements have been modified to redirect the focus of installation and maintenance of landscaping from individual buildings to the area as a whole in order to support the overall goal of providing a human-scale setting, a sheltered and comfortable walking environment, and an interesting and engaging visual experience at the pedestrian level.

The proposed development plan for these 71+ acres is intended to produce a more closely controlled development and use environment. It is the desire of the Bryan Commerce and Development to ensure and safeguard the high-quality planning and construction needed to support the successful, sustainable business climate envisioned by past City Councils.

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. Of interest to the Comprehensive Plan Advisory Committee was the concept of Mixed-Use Development. Many comments were made in regard to the growing acceptance of mixed-use development. Because of the growing cost of transportation and land and the general aging of the population, it was proposed that residential and scalable commercial uses, built within the same development or in close proximity, would serve a growing segment of the population.

In addition, policies concerning alternative transportation planning were adopted as part of the 2007 Comprehensive Plan. With respect to the pedestrian environment, the objective and action statements

that relate to the proposed development plan state:

- Objective C) Encourage utilization of alternative modes of transportation including transit, bicycles and pedestrians.

- Action Statement 1: Review and update current ordinances to ensure that new development provide sidewalks and bicycle accommodations with direct connections to residential, schools, commercial, and recreational areas and to transit stops.

- Action Statement 2: Create a pedestrian and bike friendly community through the use of a Sidewalk/Bikeway Master Plan updated yearly to provide both new and retrofit sidewalk and bike facility links between neighborhoods, schools, parks and major shopping centers.

Finally, 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.

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 between the residential portion of The Traditions development to the northwest, the Traditions Country Club and casitas to the north, the Hawthorne at Traditions apartment community to the east, and the Texas A&M Health Science Center to the southwest. Staff contends that introducing the limited mix of residential and retail uses on the subject property in a closely-controlled, high-density, downtown-like environment will be appropriate in the immediate area and will serve as an appropriate transition between the existing generally low-density residential environment of the Traditions development and the Health Science Center campus.

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.

   Since its inception, The Traditions Subdivision has been planned as a community which will grow substantially to encompass over 1,000 acres of developed area. To that end, public infrastructure capacity to support that level of development has been provided and extended as development has occurred.

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 available that would suitably accommodate similar development is a 120-acre tract located generally west of the subject property. Staff believes that if this zoning proposal for mixed use development were approved for the subject property, such an approval

would 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 finds that a mixed use development such as the one proposed on the subject property is unique in Bryan. Staff also finds that large scale retail development is occurring at a moderate pace elsewhere in the City. Similarly, multifamily residential development also continues at a steady rate.

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.

   Since the proposed project is unique, staff believes that if the requested zoning proposal for were approved for this property, there would be no need to modify the zoning designation for other areas since there are no 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.

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 mixed use development proposed with this PD-M District will be compatible with existing and anticipated uses surrounding this property and in accordance with the land use recommendations of the Comprehensive Plan. Other than the increased traffic and residential density expected of any development, 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 and may spur additional development interest in this vicinity.

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 cannot be mitigated by the provisions of the proposed PD-M 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. The proposed network of driveways, surface parking, landscape amenities and pedestrian friendly walkways can reasonably be expected to provide for adequate and safe traffic circulation within the proposed development.

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

   Staff contends that the proposed development will not adversely affect adjacent properties by inappropriate lighting, or types of signs. The number, placement, type and size of signage allowed within the proposed development have been intentionally restricted to limit negative impact while still allowing businesses to adequately advertise their presence.

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, 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 is unable to discern any additional detrimental impacts not already identified in this staff report.

RECOMMENDATION:

Based on all these considerations, staff **recommends approving** the requested amendment to the Traditions development Planned Development – Mixed Use District (PD-M) for these 71.3 acres. The proposed development features on this property appear to be consistent with the land use recommendations of the Bryan Comprehensive Plan and will help promote orderly urban growth in close proximity to the existing lower density residential portions of The Traditions subdivision, the Bio-Corridor Planned Development District and the nearby Texas A&M Health Science Center.