CITY OF BRYAN
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ACTION FORM
BRYAN CITY COUNCIL

Meeting Date (?) 05/10/2016

Subject Matter* (?) RZ16-04 (Cunningham): Industrial to RD-5 on 9 ac. at W. 28th and Cunningham
This must match rolling agenda entry

Department of Origin* DEVELOPMENT SERVICES

Submitted By* Martin Zimmermann

Type of Meeting* ○ BCD ○ Special ◉ Regular

Classification* ○ Public Hearing ○ Consent ○ Statutory ◉ Regular

Ordinance* ○ None ◉ First Read ○ Second Read ○ First & Only Read

Strategic Initiative* ☐ Public Safety ☑ Economic Development ☑ Quality of Life ☐ Service ☐ Infrastructure

Agenda Item Description* First reading of 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 Industrial District – (I) to Residential District – 5,000 (RD-5), on 9.081 acres of land out of Stephen F. Austin League No. 9, A-62, located at 2509 W. 28th Street, generally southeast of the intersection of Cunningham Lane and W. 28th Street, and being the proposed Cunningham Oaks Subdivision – Phase 3 in Bryan, Brazos County, Texas (RZ16-04).

Summary Statement* The applicant, Ms. Linda Cunningham Guyden, is requesting to change the zoning classification on 9.081 acres of land adjoining the south side of West 28th Street located generally southeast of the intersection West 28th Street and Cunningham Lane, from Industrial District (I) to Residential District – 5000 (RD-5). The subject property is located in an area that has developed over the years as a patch work of residential uses and locally-owned, quasi industrial/commercial uses. The property located directly east of the subject property, along West 28th Street also is zoned Industrial District (I) and is developed as a salvage yard. Property further east is zoned RD-5 District and developed with a single-family residence that also has an auto repair shop ("AJ's Transmission") located on the same property. Directly north of the subject property, across West 28th Street, lies another auto salvage yard ("Cruz Salvage Yard") and smaller single-family residential uses on land zoned Industrial District. Cunningham Lane abuts portions of the western side of the subject property and is adjoined by properties that are zoned I, MU-1 or RD-5 District and occupied by single-family homes. The area to the south of the subject property is mainly vacant, undeveloped land zoned Agricultural-Open District (A-O).

Ms. Cunningham Guyden originally requested that the zoning be changed to Mixed Use – Residential (MU-1) District, which, if approved, would allow the installation of manufactured homes on individual to-be-subdivided lots on these 9+ acres of land. During its meeting on April 7, 2016, the Planning and Zoning Commission voted to deny the request for MU-1, citing concern about introducing the opportunity for manufactured housing close to existing site-built homes along Cunningham Lane. However, at that same meeting, the Commission recommended changing the zoning on this property to RD-5 District.

Following the Commission's meeting, Ms. Cunningham amended her previous request to seek approval of RD-5 zoning instead of MU-1 zoning as previously requested. An email from Ms. Cunningham to that effect is attached to this Council Action Form.

Staff Analysis & Recommendation*

During its meeting on April 7, 2016, the Planning and Zoning Commission voted unanimously to recommend approving rezoning for this property to Residential District – 5000 (RD-5).

• A change of the zoning designation to RD-5 District is appropriate for the subject tract and consistent with land use recommendations of Bryan's Comprehensive Plan, which suggests low density residential land serves to provide housing and living units for a variety of people with a range of incomes and needs.

• Changing the land use classification from industrial to residential, in this particular case, provides better land use protections to neighboring properties.

• More homes are needed in this area to help build and maintain a viable residential environment. Changing the zoning classification on the subject property to RD-5 District may encourage such new housing.

• Approving the requested change in zoning classification on the subject property will allow it to develop for residential purposes. This requested change in zoning classification should not negatively affect the development potential of other properties designated for similar development in the area.

• Changing the zoning to a residential zoning classification on this property will affect the future development potential of adjacent land, due to adopted buffer-area requirement.

Options*

(In Suggested Order of Staff Preference)
1. approve the changes in zoning classification to Residential District – 5,000 (RD-5).
2. deny the requested zone change.

Funding Source*

N/A

Attachments

ATTACHMENTS CAF RZ16-04 Cunningham.docx 4.07MB

Please detail attachments and note attachments available for viewing in City Secretary's Office:
1. location map;
2. draft ordinance;
3. email from Ms. Cunningham Guyden dated April 21, 2016;
4. excerpt from P&Z meeting minutes of April 7, 2016; and
5. staff report to the Planning & Zoning Commission.

Dept. Head Signature

Kevin Russell

Deputy City Manager Signature

Hugh R. Walker

City Manager Signature

City Attorney Signature

Janis K Hampton