CITY OF BRYAN
The Good Life, Texas Style.

# ACTION FORM
## BRYAN CITY COUNCIL

**Meeting Date** (?) 10/11/2016

**Subject Matter*** (?) RZ16-14 (Hector and Estella Garcia): A-O to I on 1.23 ac. at 4031 Charles Avenue between Clarks L
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*** Second 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 Agricultural – Open District (A-O) to Industrial District (I) on 1.83 acres of land adjoining the northwest side of Charles Avenue between Clarks Lane and Drillers Drive, being Lot 4 in Block 1 of Parkwood Estates Subdivision – Phase 2, and currently addressed as 4031 Charles Avenue, Bryan, Brazos County, Texas (case no. RZ16-14).

**Summary Statement*** The applicant, Lorries Acarto, is requesting to change the zoning classification on this 1.83-acre tract of the Parkwood Estates Subdivision – Phase 2 from Agricultural Open District (A-O) to Industrial District (I).

The subject property is currently developed with a manufactured home and outside storage, such as vehicles and trailers. This area is located less than a mile from North Earl Rudder Freeway and has been developing with various industrial uses. Properties located to the south and west of the property are zoned Industrial District. The property located to the rear of the subject property is located outside of the City of Bryan City Limits and does not take access from Charles Avenue.

The adjacent property to the east of the subject property is currently developed with a single-family residence and is zoned Agricultural-Open District. The adjacent property to the west is developed with two (2) warehouses, each approximately 2,000 square feet in size, and the property currently utilizes the remaining land for outdoor storage of vehicles. The property located further to the west, at the corner of Clarks Lane and Charles Avenue, is developed with more than 10,000 square feet of warehousing and contains various outdoor storage.

The properties located generally southeast of the subject property and across Charles Avenue are zoned Industrial District. Located on these industrial zoned properties are eight (8) warehouses that are 5,000 square feet each with industrial uses such as a towing company, a motorcycle service and accessories shop, and a lubricant business. Located in the general vicinity of the subject property are an additional fifteen (15) warehouses ranging in size from 6,000 square feet or greater with various industrial businesses.

The subject property has been zoned Agricultural Open District (A-O) since 1989 when the City of Bryan adopted zoning regulations. The A-O zoning district is intended to provide a location for principally undeveloped or vacant land situated on the fringe of an urban area and used primarily for agricultural purposes, but may become an urban area in the future. The Industrial District is intended primarily for the conduct of heavy manufacturing, assembling and fabrication, and for large scale warehousing, wholesaling and service operations. The applicants are requesting the change in zoning classification to allow for the proposed development of the property into warehousing for camping equipment, tactical gear, and emergency preparedness equipment.

**Staff Analysis & Recommendation***

During its regular meeting on September 1, 2016, the Planning and Zoning Commission concurred with staff and unanimously recommended approving this rezoning request.

• The proposed change will allow the applicant to develop the subject property with warehousing and manufacturing in a manner that is appropriate with the general vicinity and compatible with other uses located on adjacent properties.

• Allowing Industrial zoning on the subject property will support and promote orderly urban growth in this vicinity where development has been moving at a deliberate pace than in other parts of the City of Bryan.

• The proposed zoning change to Industrial District on these 1.83 acres is appropriate in this particular case because the property is surrounded by property zoned Industrial and developed with existing Industrial uses and the property conforms to the land use recommendations of the Comprehensive Plan.

• Objections to this request may include that the proposed Industrial District zoning may not allow other uses possibly appropriate at this location in the future, and zoning this property to Industrial District may increase traffic along Charles Avenue.

Note: While no one spoke in opposition to this request at the September 1, 2016, Planning and Zoning Commission meeting, an individual provided an email opposing the request. The email is attached to this Council Action Form.

**Options***

(In Suggested Order of Staff Preference)

1. approve the requested zone change;

2. approve the requested zone change with modifications, which may require rescheduling the request for consideration on a future City Council meeting agenda;

3. deny the requested zone change.

**Funding Source***

N/A

**Attachments**

ATTACHMENTS CAF RZ16-14, 4031 Charles Ave, AO to I.docx 3.64MB

Please detail attachments and note attachments available for viewing in City Secretary's Office:

1. location map
2. draft ordinance
3. excerpt from P&Z meeting minutes of September 1, 2016
4. email received in opposition to the request
5. staff report to the Planning & Zoning Commission

**Dept. Head Signature**

Kevin Russell

**Deputy City Manager Signature**

**City Manager Signature**

**City Attorney Signature**

Janis K. Hampton