CITY OF BRYAN
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ACTION FORM
BRYAN CITY COUNCIL

Meeting Date (?) 12/06/2016

Subject Matter* (?) RZ16-11 (Living Hope Church): RD-5 to PD-H on 9.28 off Beason Street in Kazmeier Gardens Subdivi
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 Residential District – 5000 (RD-5) to Planned Development – Housing District (PD-H) on 9.28 acres of vacant land adjoining the north side of Beason Street, approximately 600 feet to 1,000 feet west from its intersection with South College Avenue, being Block 4 (Reserve Tract) and Lot 1 in Block 5 (Reserve Tract) in the Kazmeier Gardens Subdivision, in Bryan, Brazos County, Texas (case no. RZ16-11).

Summary Statement* The applicant, Eric Ejve on behalf of Living Hope Baptist Church, Inc., owns the subject property, a 9.28-acre tract of vacant land. Located to the east of the subject property is vacant land platted for single-family residential homes, west is the Union Pacific Railroad, north is vacant land part of a large tract developed with Mosqueda Heating and Cooling, and to the south are properties developed with single-family detached dwelling units.

The applicant is requesting that the subject property be rezoned from Residential District – 5000 (RD-5) to Planned Development – Housing (PD-H) district. The use of a place of worship is allowed in all zoning districts in Bryan, however, many of the proposed accessory uses are uses not allowed by right in the RD-5 zoning district. The church desires to develop the subject property with the primary use of a place of worship and various accessory uses including:

- Accessory structures;
- Charitable uses (excluding limited or emergency housing);
- Child Care (class B and class C);
- Community garden;
- Recreational/community center;
- Office use;
- Reception hall; and,
- All other uses as allowed in the Residential District – 5000 (RD-5) zoning district.

The applicant intends to allow various proposed accessory uses such as the community garden, recreational areas and the community center to be open to the community. Therefore, the proposed PD-H, if approved, will allow the church to develop the land in a unique manner, with multiple accessory uses, without having to apply for multiple conditional use permits.

The proposed PD-H establishes a new land use not currently listed in the City of Bryan Zoning Ordinance. The PD-H proposes the use of a community garden and defines community garden as "the recreation or leisure activity of raising, cultivating, and processing of food for use and consumption by church members and neighbors."

In addition to the planned uses, the proposed PD-H establishes guidelines for physical development on these 9.28 acres. The subject property is in close proximity to the South College – Business District (SC-B) and therefore proposes the same development standards as that overlay district. To integrate the place of worship within the fabric of this particular neighborhood, the PD-H proposes limitations on land use and physical development. Proposed limitations include a 25-foot buffer along the single-family zoning district that border the subject property to the east, as well as a 6-foot screening fence wherever a 100-foot buffer is not observed. Therefore, staff contends the proposed uses will be appropriate amongst the mixture of land uses in the general vicinity and the City as a whole.

Staff Analysis & Recommendation*

During its regular meeting on November 17, 2016, the Planning and Zoning Commission concurred with staff and unanimously recommended approving this rezoning request.

• The proposed primary use of a place of worship and various accessory uses on these 9.28 acres are appropriate at this particular location and are in accordance with land use recommendations of the Comprehensive Plan.

• The proposed development of public spaces similar to a neighborhood park, including, outdoor pavilion, splash pad, playground, community garden, and walking trails will not only be appropriate at this particular location but also could improve quality of life in the residential neighborhood.

• The proposed place of worship and various public recreational accessory uses could positively influence property in the immediate vicinity and perhaps spur the build-out of the currently vacant Kazmeier Gardens Subdivision.

• The existing layout of streets adjacent to the subject property is capable of handling traffic typically associated with a place of worship and various accessory uses.

• The most notable and potentially unfavorable effect from this development on abutting sites could stem from the inevitable increase in automobile traffic in this vicinity. However, any new development at this location would have a similar effect, as the subject property is currently vacant.

Options*

(In Suggested Order of Staff Preference)
1. approve the requested zoning change;
2. approve the requested zoning change with modifications, which may require rescheduling the request for consideration on a future City Council meeting agenda;
3. deny the requested zoning change.

Funding Source*

N/A

Attachments

ATTACHMENTS CAF RZ16-11, Living Hope Baptist.docx 2.36MB

Please detail attachments and note attachments available for viewing in City Secretary's Office:
1. location map;
2. draft ordinance with exhibits;
3. excerpt from November 17, 2016 Planning and Zoning Commission regular meeting minutes; and
4. staff report to the Planning & Zoning Commission.

Dept. Head Signature

Kevin Russell

Deputy City Manager Signature

City Manager Signature

City Attorney Signature

Thomas A. Leeper