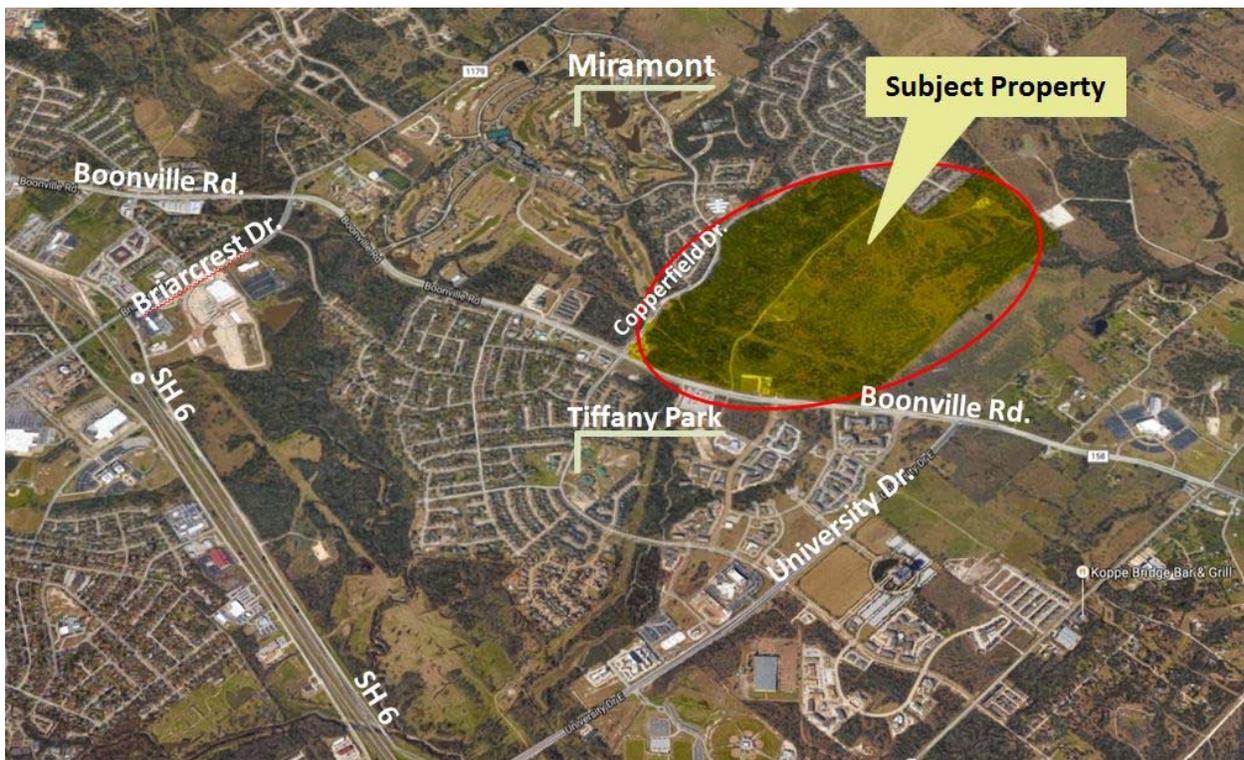
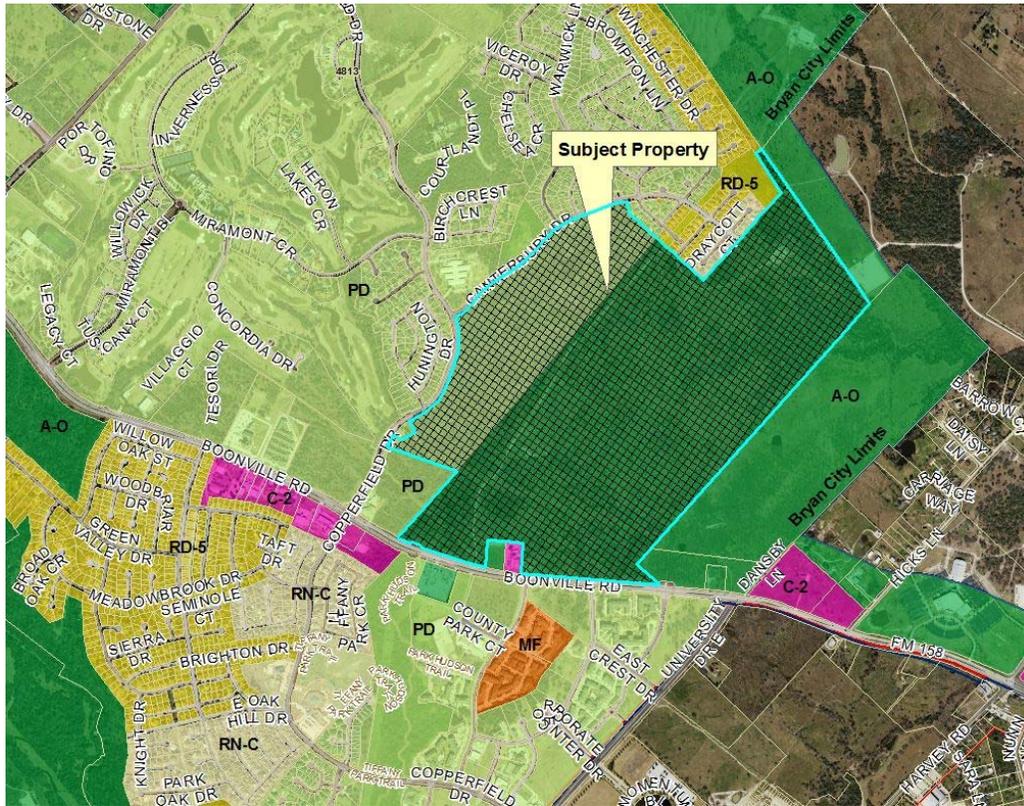


**LOCATION MAPS:**



**ORDINANCE NO. \_\_\_\_\_**

**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 A COMBINATION OF AGRICULTURAL – OPEN DISTRICT (A-O) AND PLANNED DEVELOPMENT DISTRICT (PD) TO PLANNED DEVELOPMENT – MIXED USE DISTRICT (PD-M), SUBJECT TO DEVELOPMENT REQUIREMENTS SPECIFIED HEREIN, ON 409.75 ACRES OF VACANT LAND OUT OF J.W. SCOTT LEAGUE, A-49, ADJOINING THE NORTH SIDE OF BOONVILLE ROAD BETWEEN COPPERFIELD DRIVE AND UNIVERSITY DRIVE EAST 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 are made by adopting ordinances amending Chapter 130 for each particular permanent zoning change; and

**WHEREAS**, this requested change to amend Chapter 130, Zoning, of the City of Bryan Code of Ordinances, by changing the zoning classification from a combination of Agricultural – Open District (A-O) and Planned Development District (PD) to Planned Development – Mixed Use District (PD-M) on 409.75 acres of vacant land out of J.W. Scott League, A-49, adjoining the north side of Boonville Road between Copperfield Drive and University Drive East in Bryan, Brazos County, Texas, was recommended for approval by the Bryan Planning and Zoning Commission during its regular meeting on October 20, 2016 (case no. RZ15-03);

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

1.

That Chapter 130, Zoning, of the City of Bryan Code of Ordinances be amended by changing the zoning classification from a combination of Agricultural – Open District (A-O) and Planned Development District (PD) to Planned Development – Mixed Use District (PD-M), subject to development requirements described and depicted on attached Exhibit “A” which are herein fully incorporated by reference for all purposes as if set forth in the text of the ordinance, on 409.75 acres of vacant land out of J.W. Scott League, A-49, adjoining the north side of Boonville Road between Copperfield Drive and University Drive East in Bryan, Brazos County, Texas, said 409.75 acres being described more particularly by metes-and-bounds on attached Exhibit “B”.

2.

That 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 21<sup>st</sup> day of November, 2016 at a regular meeting of the City Council of the City of Bryan, Texas; and given second reading, PASSED AND APPROVED on the 6<sup>th</sup> day of December, 2016 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

\_\_\_\_\_  
\_\_\_\_\_, Mayor

APPROVED AS TO FORM:

\_\_\_\_\_  
Janis K. Hampton, City Attorney

**Exhibit “A”:**

**Development Plan for Oakmont Planned Development – Mixed Use District (PD-M) on 409.75 acres of vacant land out of J.W. Scott League, A-49, adjoining the north side of Boonville Road between Copperfield Drive and University Drive East**

**(SEPARATE PDF)**

## Exhibit "B": Metes-and-bounds Description

Being all that certain tract or parcel of land lying and being situated in the J. W. SCOTT LEAGUE, Abstract No. 49 in Bryan, Brazos County, Texas and being part of the called 314.34 acre tract described in the deed from N.H. Burnap, Trustee to Adam Development Properties, L.P. formerly known as TAC Realty, Inc. recorded in Volume 3883, Page 97 of the Official Records of Brazos County, Texas (O.R.B.C.), all of the called 98.362 acre tract described in the deed from Southwest Federal Savings Association to Adam Development Properties, L.P. formerly known as TAC Realty, Inc. recorded in Volume 1463, Page 27 (O.R.B.C.), all of the 0.8091 acre tract described in the deed from F.W. Bert Wheeler, Trustee, et al to Adam Development Properties, L.P. formerly known as TAC Realty, Inc. recorded in Volume 4218, Page 1 (O.R.B.C.) and being more particularly described by metes and bounds as follows:

**BEGINNING:** at a point in the northeast right-of-way line of F.M. 158 (width varies), said point also being in the northwest line of the called 314.34 tract, the southeast line of the called 16.27 acre Robert B. Wilcox tract recorded in Volume 3395, Page 152 (O.R.B.C.) and being the most westerly corner of this tract;

**THENCE:** N 44° 57' 36" E along the northwest line of the called 314.34 acre tract and the southeast line of the called 16.27 acre Wilcox tract for a distance of 1142.17 feet to the south corner of the called 98.362 acre tract and the east corner of the called 16.27 acre tract;

**THENCE:** N 67° 34' 32" W along the southwest line of the called 98.362 acre tract and the northeast line of the called 16.27 acre Wilcox tract for a distance of 955.60 feet for corner in the southeast right-of-way line of Copperfield Drive (based on a 100-foot width);

**THENCE:** 146.02 feet in a clockwise direction along a curve in the southeast line of said Copperfield Drive, said curve having a central angle of 11° 09' 18", a radius of 750.00 feet, a tangent of 73.24 feet and a long chord bearing N 33° 44' 10" E at a distance of 145.79 feet to the west corner of Lot 2-R, Block 21 of the Replat of Lot 1, Block 21 of COPPERFIELD SECTION FIVE recorded in Volume 1190, Page 215 (O.R.B.C.);

**THENCE:** along the perimeter of said replatted COPPERFIELD SECTION FIVE for the following four (4) calls:

- 1) S 50° 41' 19" E for a distance of 109.97 feet for corner,
- 2) N 66° 19' 18" E for a distance of 209.54 feet for corner,
- 3) 152.03 feet in a counter-clockwise direction along the arc of a curve having a central angle of 14° 31' 05", a radius of 600.00 feet, a tangent of 76.42 feet and a long chord bearing N 23° 51' 20" W at a distance of 151.62 feet to the Point of Tangency, and
- 4) N 31° 06' 57" W for a distance of 23.56 feet in the before-said southeast right-of-way line of Copperfield Drive (based on a 100-foot width);

**THENCE:** 106.81 feet in a clockwise direction along the arc of a curve in said Copperfield Drive having a central angle of 08° 09' 34", a radius of 750.00 feet, a tangent of 53.49 feet and a long chord bearing N 63° 55' 23" E at a distance of 106.72 feet for corner;

**THENCE:** N 22° 00' 00" W for a distance of 10.00 feet for corner in the southeast right-of-way line of Copperfield Drive (based on a 80-foot width),

**THENCE:** continuing along the southeast right-of-way line of said Copperfield Drive for the following five (5) calls:

- 1) N 68° 00' 00" E for a distance of 78.01 feet to the Point of Curvature of a curve to the left,
- 2) 480.54 feet along the arc of said curve having a central angle of 43° 01' 13", a radius of 640.00 feet, a tangent of 252.23 feet and a long chord bearing N 46° 29' 23" E at a distance of 469.33 feet to the Point of Tangency,
- 3) N 24° 58' 47" E for a distance of 333.00 feet to the Point of Curvature of a curve to the left,
- 4) 593.97 feet along the arc of said curve having a central angle of 40° 30' 50", a radius of 840.00 feet, a tangent of 310.01 feet and a long chord bearing N 04° 43' 22" E at a distance of 581.67 feet to a Point of Reverse Curvature, and

- 5) 37.64 feet along the arc of said reverse curve having a central angle of  $86^{\circ} 16' 15''$ , a radius of 25.00 feet, a tangent of 23.42 feet and a long chord bearing  $N 27^{\circ} 36' 04'' E$  at a distance of 34.19 feet to a Point of Reverse Curvature, said point being in the southeast right-of-way line of Canterbury Drive (based on a 80-foot width);

THENCE: along the southeast line of said Canterbury Drive for the following nine (9) calls:

- 1) 221.49 feet along the arc of said reverse curve having a central angle of  $30^{\circ} 34' 46''$ , a radius of 415.00 feet, a tangent of 113.45 feet and a long chord bearing  $N 55^{\circ} 26' 49'' E$  at a distance of 218.87 feet to the Point of Tangency,
- 2)  $N 40^{\circ} 09' 26'' E$  for a distance of 130.00 feet to the Point of Curvature of a curve to the right,
- 3) 265.29 feet along the arc of said curve having a central angle of  $20^{\circ} 00' 01''$ , a radius of 760.00 feet, a tangent of 134.01 feet and a long chord bearing  $N 50^{\circ} 09' 26'' E$  at a distance of 263.95 feet to the Point of Tangency,
- 4)  $N 60^{\circ} 09' 27'' E$  for a distance of 375.00 feet to the Point of Curvature of a curve to the left,
- 5) 210.55 feet along the arc of said curve having a central angle of  $14^{\circ} 21' 41''$ , a radius of 840.00 feet, a tangent of 105.83 feet and a long chord bearing  $N 52^{\circ} 58' 37'' E$  at a distance of 210.00 feet to the Point of Tangency,
- 6)  $N 45^{\circ} 47' 46'' E$  for a distance of 385.00 feet to the Point of Curvature of a curve to the right,
- 7) 344.88 feet along the arc of said curve having a central angle of  $26^{\circ} 00' 00''$ , a radius of 760.00 feet, a tangent of 175.46 feet and a long chord bearing  $N 58^{\circ} 47' 46'' E$  at a distance of 341.93 feet to the Point of Tangency,
- 8)  $N 71^{\circ} 47' 46'' E$  for a distance of 515.02 feet to the Point of Curvature of a curve to the right, and
- 9) 247.91 feet along the arc of said curve having a central angle of  $14^{\circ} 47' 45''$ , a radius of 960.00 feet, a tangent of 124.65 feet and a long chord bearing  $N 79^{\circ} 11' 39'' E$  at a distance of 247.22 feet to the northwest corner of COPPERFIELD SECTION 10-D as recorded in Volume 3785, Page 147 (O.R.B.C.);

THENCE: along the southwesterly line of said COPPERFIELD SECTION 10-D for the following two (2) calls:

- 1)  $S 03^{\circ} 24' 26'' E$  for a distance of 154.25 feet for corner, and
- 2)  $S 45^{\circ} 02' 02'' E$  for a distance of 973.94 feet to the south corner of said COPPERFIELD SECTION 10-D and the west corner of COPPERFIELD SECTION 10-E as recorded in Volume 3785, Page 145 (O.R.B.C.);

THENCE:  $S 45^{\circ} 02' 02'' E$  for a distance of 310.00 feet to the south corner of said COPPERFIELD SECTION 10-E;

THENCE:  $N 44^{\circ} 58' 00'' E$  along the southeast lines of said COPPERFIELD SECTION 10-E and 10-D for a distance of 1494.30 feet for corner;

THENCE:  $N 30^{\circ} 38' 09'' W$  along the northeast line of said COPPERFIELD SECTION 10-D for a distance of 622.44 feet to the southwest corner of the 100-foot wide City of Bryan right-of-way tract recorded in Volume 2141, Page 47 (O.R.B.C.);

THENCE:  $N 59^{\circ} 21' 51'' E$  along the southeast line of said 100-foot right-of-way tract for a distance of 100.00 feet to the most northerly corner of this tract, the southeast corner of the said right-of-way tract and being in the southwest line of the called 242.5 acre Peyton Waller tract recorded in Volume 348, Page 688 of the Brazos County Deed Records (B.C.D.R.);

THENCE:  $S 30^{\circ} 38' 09'' E$  along the northeast line of the called 314.34 acre tract and the southwest line of the called 242.5 acre Waller tract for a distance of 2468.93 feet to the east corner of this tract, the south corner of the said 242.5 acre tract and being in the northwest line of the called 159 acre Patricia Kay Peters, et al tract recorded in Volume 2498, Page 28 (O.R.B.C.);

THENCE:  $S 45^{\circ} 15' 57'' W$  along the southeast line of the called 314.34 acre tract and the northwest line of the called 159 acre Peters tract for a distance of 4407.76 feet for corner,

THENCE:  $S 45^{\circ} 27' 32'' E$  for a distance of 397.55 feet to a point in the said northeast right-of-way line of F.M. 158 (width varies);

THENCE: along the northeast line of said F.M. 158 for the following four (4) calls:

- 1) N 79° 54' 18" W for a distance of 57.29 feet for corner,
- 2) N 81° 03' 08" W for a distance of 232.80 feet for corner,
- 3) N 82° 11' 58" W for a distance of 1054.11 feet for corner, and
- 4) N 82° 27' 11" W for a distance of 457.73 feet to a point in the southwest line of the called 0.8091 acre tract (4218/1) and the southeast line of the called 2.020 acre Christopher Lampo tract recorded in Volume 3212, Page 48 (O.R.B.C.);

THENCE: along the perimeter of the called 2.020 acre Lampo tract and the 2.000 acre Christopher Lampo tract recorded in Volume 11971, Page 62 (O.R.B.C.) for the following three (3) calls:

- 1) N 07° 44' 16" E for a distance of 377.50 feet for corner,
- 2) N 82° 15' 44" W for a distance of 458.52 feet for corner, and
- 3) S 07° 44' 16" W for a distance of 353.44 feet for corner in the said northeast right-of-way line of F.M. 158 (width varies);

THENCE: along the northeast line of said F.M. 158 for the following eight (8) calls:

- 1) N 72° 26' 19" W for a distance of 242.67 feet for corner,
- 2) N 68° 59' 07" W for a distance of 81.24 feet for corner,
- 3) N 68° 45' 39" W for a distance of 526.62 feet for corner,
- 4) N 23° 45' 39" W for a distance of 45.19 feet for corner,
- 5) N 67° 16' 05" W for a distance of 100.00 feet for corner,
- 6) S 72° 13' 28" W for a distance of 37.98 feet for corner,
- 7) N 62° 46' 32" W for a distance of 137.80 feet for corner,
- 8) N 57° 53' 22" W for a distance of 32.53 feet to the POINT OF BEGINNING and containing 409.75 acres of land, more or less.

**EXCERPT FROM PLANNING AND ZONING COMMISSION REGULAR MEETING MINUTES  
OF OCTOBER 20, 2016:**

**7. 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 RZ15-03: Adam Development Properties, LP**

*A request to change the zoning classification from a combination of Agricultural – Open District (A-O) and Planned Development District (PD) to Planned Development – Mixed Use District (PD-M) on 409.75 acres of vacant land out of J.W. Scott League, A-49, adjoining the north side of Boonville Road between Copperfield Drive and University Drive East in Bryan, Brazos County, Texas. (M. Zimmermann).*

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

In response to questions from the Commission, Mr. Zimmermann stated the following:

- The subdivision will be developed in phases
- There will be three entrances
- 97 property owners were notified, and staff received two phone calls for clarification and one email in response to the request, and met with one citizen to answer questions about the development

The public hearing was opened.

Ms. Lisa Johns, 330 Rayford Rd, Spring, TX, consultant for the applicant, came forward to speak in favor of the request and introduced Mr. Marcos Rosales, General Counsel for Adam Development, Mr. Andrew Ball, Director of Real Estate for Adam Development, and Mr. Jeff Robertson, Project Engineer with McClure and Browne. Ms. Johns gave a presentation on the proposed development.

In response to questions from the Commission, Ms. Johns stated the following:

- There will be a hierarchy of trail types
- Neighborhood trails, community trails, and trails within the mixed-use development will be installed when the streets adjacent to them are paved
- The timing of the installation of greenbelt trails will be decided when the lots adjacent to them are platted
- The developer is responsible for building these trails

Mr. Neal and Melissa Lauder milk, 5210 Draycott Ct, Bryan, TX, and Mr. Keith Peters, 5207 Draycott Ct, Bryan, TX came forward to speak in opposition to the request. Cited concerns included:

- Increase in traffic and speeding on Canterbury Drive
- Safety of children walking to and from school
- Neighborhood security being compromised as additional points of entry to the Copperfield Subdivision are created
- Clearing and removal of green space for trail construction

In response to questions, Ms. Johns stated that greenbelt trails are meant to showcase the existing

area and that the majority of trees will not be cleared, with the exception of those that impede drainage.

The public hearing was closed.

**Commissioner Bush moved to recommend approval of Rezoning RZ15-03 to the Bryan City Council, and to adopt the written staff report and analysis, as the report, findings and evaluation of the Commission. Commissioner Conlee seconded the motion.**

Commissioners stated that they respect and share the concerns being expressed and are excited about this development, and thanked staff for their work.

**The motion passed unanimously.**

**EXCERPT FROM PARKS ADVISORY BOARD REGULAR MEETING MINUTES OF OCTOBER 18, 2016:**

**7. Presentation, discussion and possible action concerning the Oakmont Subdivision – presentation by Lisa Johns, President of Genesis Collaborative:**

Lisa Johns, President of Genesis Collaborative, gave a presentation on the Oakmont Subdivision and gave an overview of the process, the plan, timing, and parks and trails. After a brief discussion, Robert Person made a motion to accept the plan as presented. Aliza Dirden seconded the motion. The motion was a 7 to 1 vote to recommend the plan to the Planning and Zoning Commission and City Council.

**EMAIL RECEIVED IN RESPONSE TO ADJACENT PROPERTY OWNER NOTIFICATION:**

**Zimmermann, Martin**

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**From:** Currie Smith <[REDACTED]>  
**Sent:** Monday, October 17, 2016 3:53 PM  
**To:** Planning Services Web  
**Subject:** RZ15-03 Rezoning

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

This week I received notification of the proposed rezoning of a 409.75 Acre tract across Canterbury drive from my home. I cannot make it to the public hearing but I wanted to voice a couple concerns.

1. I feel that a significant portion of the land bordering the Copperfield subdivision should be limited to single family homes to keep the integrity of the subdivision.
2. If the Planning and Zoning Commission allows commercial or multifamily development it should be limited to a band of the property bordering Boonville Road.
3. Copperfield Drive and Canterbury Drive already have substantial traffic, so I would ask that these roads not be used as primary arteries for the proposed development.

Thanks,  
Currie Smith  
5805 Canterbury Drive  
Bryan, Tx 77802

**PLANNING AND ZONING COMMISSION  
STAFF REPORT**

October 20, 2016



**Rezoning Case no. RZ15-03: Adam Development Properties, LP**

**CASE DESCRIPTION:** a request to change the zoning classification from a combination of Agricultural – Open District (A-O) and Planned Development District (PD) to Planned Development – Mixed Use District (PD-M)

**LOCATION:** 409.75 acres of vacant land out of J.W. Scott League, A-49, adjoining the north side of Boonville Road between Copperfield Drive and University Drive East

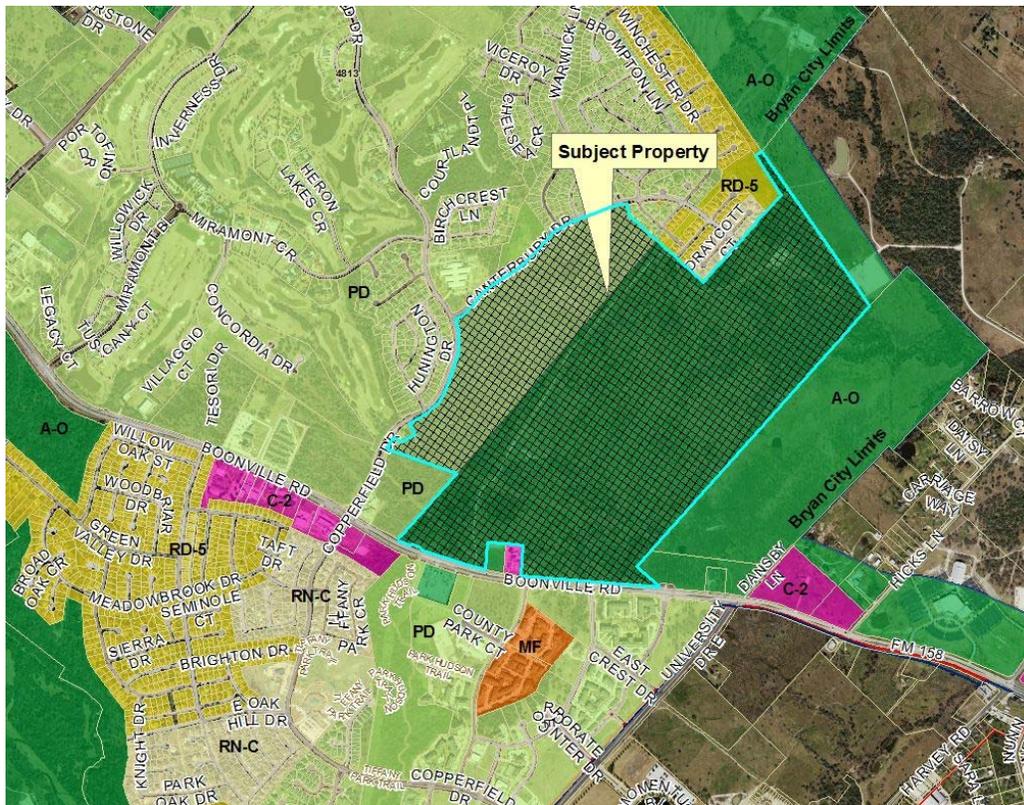
**EXISTING LAND USE:** vacant acreage, inactive oil well site

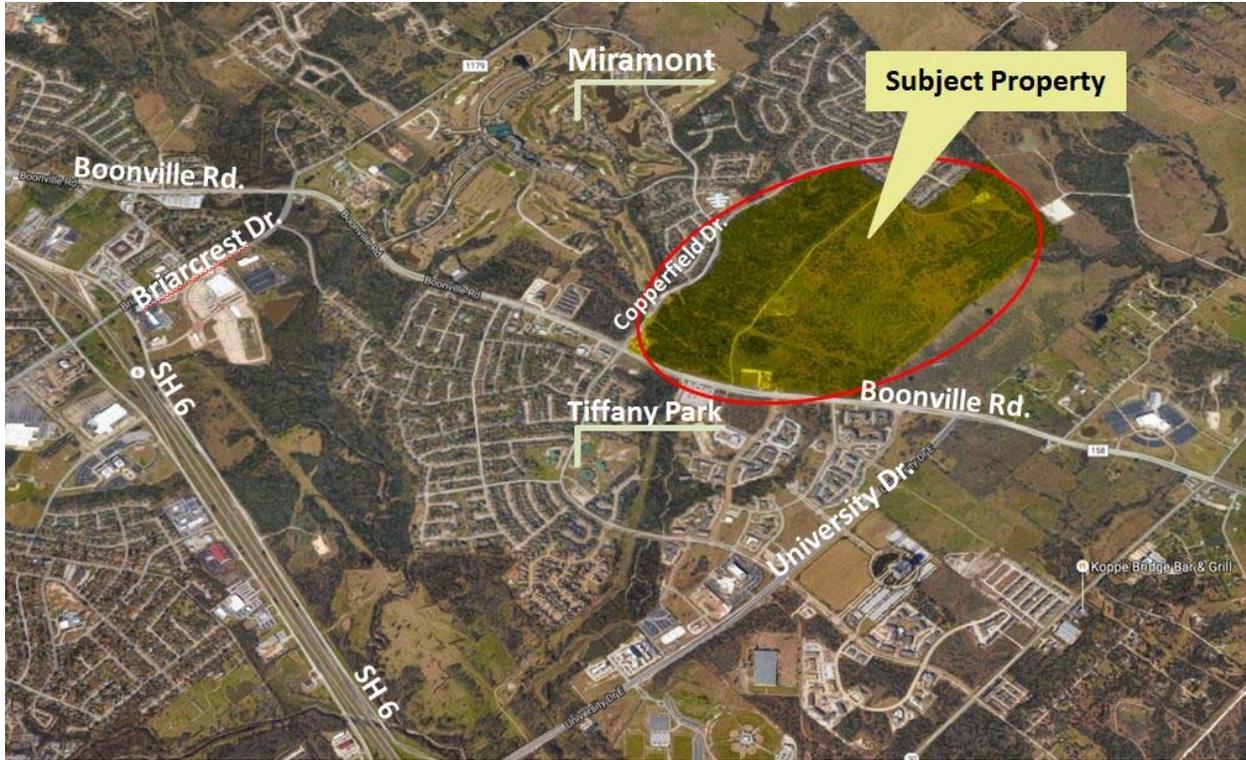
**PROPERTY OWNER/  
APPLICANT:** Adam Development Properties, LP

**AGENTS:** Jeff Robertson of McClure & Browne Engineering/Surveying, Inc.  
Lisa Johns of Genesis Collaborative

**STAFF CONTACT:** Martin Zimmermann, AICP, Planning Manager

**SUMMARY RECOMMENDATION:** Staff recommends **approving** this request.





**SURROUNDING ZONING AND LAND USES:**

north	PD and RD-5	single-family homes
west	A-O	single-family home, vacant acreage
east	PD	single-family homes, golf course community
south	PD and MF	multiple-family residences, offices

**BACKGROUND:**

The subject property is 409 acres in size and adjoins the north side of Boonville Road (FM 158) and University Drive East. To the north and east, the property is adjoined by the Copperfield and Miramont subdivisions, respectively. The subject property is currently vacant. An abandoned oil well is located near the subject property’s northeastern boundary, near the current terminus of Canterbury Drive.

Most of these 409 acres is currently zoned Agricultural – Open District (A-O). Approximately 94 acres of the subject property located generally southeast and south of Copperfield and Canterbury Drive is currently zoned PD District. These 94 acres are a remnant of the 550-acre Copperfield tract that was annexed to the City of Bryan in November 1981. These 94 acres were originally designated as Section 5 of the Copperfield master-planned mixed-use community Planned Development District. Section 5 was to be developed with 360 single family units but has remained undeveloped. The remainder of the Copperfield Subdivision was developed with City of Bryan financial participation as per a development contract executed in April 1982. When the City of Bryan adopted zoning in 1989, most of the Copperfield Subdivision was assigned the designation PD-2 District on the official zoning map.

Adam Development Properties, LP own the 409-acre subject property and proposes a mix of residential, recreational, and commercial uses blended together through a system of streetscapes, trails and pedestrian amenities in a new community referred to as Oakmont. The property is proposed to include approximately 750 single-family homes, 250 apartment units, and 100,000 square feet of retail/general office space. In order to accomplish the stated vision, the developer proposes the creation of a Planned Development Mixed-Use District (PD-M) as a method to allow for the combination of land uses, the flexibility to adjust to changing market trends and demands over time, and the ability to implement a cohesive system of signage, parks, trails, and other amenities all designed within the overall community character. As such, the primary components of the proposed PD-M District address land use, signage, trails, and parks.

On November 30, 2015 the Bryan City Council executed a Chapter 380 Agreement with Adam Development Properties. Chapter 380 of the Texas Local Government Code authorizes Texas municipalities to provide assistance for economic development. Texas cities may provide monies, loans, city personnel, and city services for promotion and encouragement of economic development. In this particular case, the Chapter 380 payment period will begin after the development has produced an increase in property values within the development of at least \$5,000,000. The developer will receive annual rebates of 100% of the ad valorem taxes paid on the increase of the baseline value of the property, until the developer has been reimbursed \$10,000,000 or until 12 years has passed since the first cash incentive was disbursed. The Chapter 380 payments are being utilized to reimburse the developer for the high cost of on-site infrastructure and assist with the amenities that will make Oakmont a unique subdivision. It is estimated that the City of Bryan will receive nearly \$2,000,000 annually in property tax revenue from this development at full build-out. The infrastructure needed for this community is expected to encourage additional developments adjacent to and near this new master planned development.

Separate and apart from the Chapter 380 payments for ad valorem tax rebates, the City of Bryan agreed to reimburse the developer a total not-to-exceed amount of \$2,600,000 for the actual costs incurred for the eastward extension of University Drive as a major arterial thoroughfare from its existing terminus Boonville Road (FM 158). On July 21, 2016 the Bryan City Council executed a Memorandum of Understanding (MOU) with the Adam Development Properties, LP, as well as other adjacent land owners. The MOU outlines the rights and responsibilities of all parties involved in connection with the extension of University Drive and other obligations necessary to accomplish the project.

The developer has communicated with the Copperfield HOA board of directors and presented development plans at the Copperfield HOA annual meeting.

## **PROPOSED PD-M ZONING DEVELOPMENT PLAN:**

### Land Use:

The Oakmont PD provides for three different planning areas designed to respect and respond to existing conditions at the property boundaries.

*Planning Area I (Detached Single-Family Residential)* - Planning Area I, located across from the existing Copperfield community, is intended to provide for development of detached dwelling units on lots of not less than 5,000 square feet. Other uses, such as religious, educational facilities, and open space are also proposed to be permitted to maintain a balanced, orderly, convenient, and attractive residential area. Certain uses such as Twin-homes<sup>1</sup>, Townhouses, Patio Homes, and Gated Neighborhoods are proposed to be allowed with prior approval of a Conditional Use Permit from the Planning and Zoning Commission.

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<sup>1</sup> Twin-homes are dwellings comprising two single-family units on individual, fee-ownership lots, joined vertically by a party wall at the common property line, with each unit having its own front and rear entrances,

*Planning Area II (Blended Single-Family Residential)* - Planning Area II, located in the middle of the community, is another single-family residential district that is proposed to provide development opportunities for a variety of housing types, including detached and attached single-family housing. Neighborhood Retail and Professional Office uses are proposed to be allowed with prior approval of a Conditional Use Permit from the Planning and Zoning Commission.

*Planning Area III (Mixed-Use)* - Planning Area III, located along Boonville Road, is intended to provide for greater flexibility of uses in order to respond to changing market conditions over time including; office, retail, multi-family residential and other residential housing types. This area is intended to provide for development of various associations of uses developed as integral land use units such as offices, commercial or service centers, shopping centers, residential developments of multifamily or mixed housing including attached single-family dwellings or any appropriate combination of uses which may be planned, developed or operated as integral land use units either by a single owner or a combination of owners.

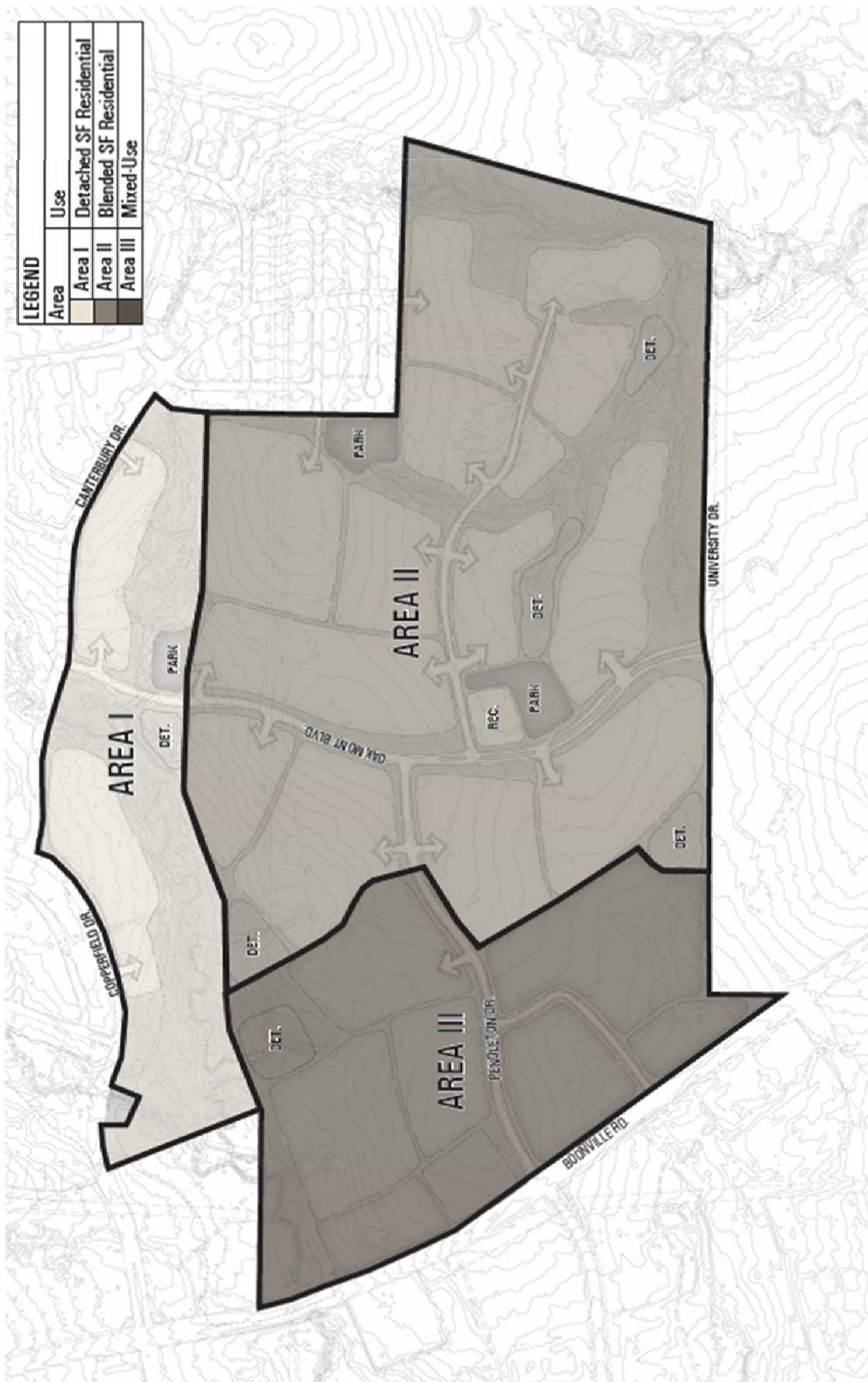
### Development Standards

The developer proposes private residential and commercial development guidelines, which will be made part of the declaration of covenants, conditions, and restrictions for the entire subject property. For the purposes of the proposed PD-M District, the following development standards are proposed.

1. Detached Single-Family Residential – The physical development of Detached Single-Family Residential shall generally comply with the development standards and limitations of the City of Bryan Code of Ordinances that apply to properties zoned Residential District – 5000 (RD-5).
2. Multi-Family Residential – The physical development of Multi-Family Residential shall generally comply with the development standards and limitations of the City of Bryan Code of Ordinances that apply to properties zoned Multiple-Family District (MF).
3. Non-residential – The physical development of non-residential uses shall generally comply with the development standards and limitations of the City of Bryan Code of Ordinances that apply to properties zoned Retail District (C-2).

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front and rear yards, and a side yard on one side of the lots. In 2015, the City Council amended the Planned Development District ordinance for the Miramont Subdivision to specifically allow this dwelling type on a portion of that subdivision.



# OAKMONT/ LAND USE PLAN

Byram, Texas  Adam Development  27 September 2016



THIS PLAN IS A PRELIMINARY DESIGN AND IS NOT TO BE USED FOR CONSTRUCTION. THE DESIGNER ASSUMES NO LIABILITY FOR ANY ERRORS OR OMISSIONS. THE USER OF THIS PLAN ASSUMES ALL LIABILITY FOR ANY SUCH ERRORS OR OMISSIONS. THE DESIGNER'S LIABILITY IS LIMITED TO THE DESIGN SERVICES PROVIDED HEREIN. THE USER OF THIS PLAN SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES. THE DESIGNER'S LIABILITY IS LIMITED TO THE DESIGN SERVICES PROVIDED HEREIN. THE USER OF THIS PLAN SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES.



Oakmont Land Use Matrix	Planning Areas						
	Area I		Area II		Area III		
	Detached SF Residential	Blended SF Residential	Mixed-Use	Permitted Use	Conditional Use	Permitted Use	Conditional Use
<b>Single Family Residential</b>							
Detached Single-family Residential	✓	-	✓	-	-	✓	
Dupleü	-	-	-	✓	-	✓	
Gated Neighborhood	-	✓	✓	-	-	✓	
Model Homes	✓	-	✓	-	✓	-	
Patio Home	-	✓	✓	-	✓*	-	
Townhouse	-	✓	✓	-	✓*	-	
Twin-home	-	✓	✓	-	✓*	-	
Group home/Community Home	✓	-	✓	-	✓	-	
<b>Multi-family Residential</b>							
Assisted Living Facility	-	✓	-	✓	✓	-	
Multi-family Residential	-	-	-	-	✓	-	
Nursing Home (retirement home)	-	-	-	-	✓	-	
<b>Retail</b>							
General Retail	-	-	-	-	✓	-	
Neighborhood Retail	-	✓	-	✓	✓	-	
Real Estate Sales Center	✓	-	✓	-	✓	-	
<b>Office</b>							
Construction Field Office	✓	-	✓	-	✓	-	
Home Occupation	✓	-	✓	-	✓*	-	
General Office	-	-	-	-	✓	-	
Personal Care Homes	✓	-	✓	-	✓*	-	
Private Utilities (no general outdoor storage yards)	✓	-	✓	-	✓	-	
Professional Office	-	✓	-	✓	✓	-	
<b>Civic &amp; Institutional</b>							
Community Center	✓	-	✓	-	✓	-	
Essential Municipal Uses	✓	-	✓	-	✓	-	
Government owned structures, facilities, and uses	✓	-	✓	-	✓	-	
Neighborhood Amenity Center	✓	-	✓	-	✓	-	
Place of Worship	✓	-	✓	-	✓	-	
Schools	✓	-	✓	-	✓	-	
<b>Other</b>							
Accessory Dwelling Unit	-	✓	-	✓		✓	
Accessory Structures	✓	-	✓	-	✓	-	
Accessory Structures if greater than the standards set forth in Sec. 130-34(a)	-	✓	-	✓		✓	
Bed and breakfast	-	✓	-	✓	✓	-	
Boarding (lodging) house	-	✓	-	✓	✓	-	
Child Care - Class B	-	✓	-	✓	✓	-	
Country Club or Golf Course	-	✓	-	✓	✓	-	
Funeral Home/mortuary	-	✓	-	✓	✓	-	
Police Station	-	✓	-	✓	✓	-	
Temporary Structures for uses incidental to construction work on the premises, which said buildings shall be removed upon the completion of construction work	✓	-	✓	-	✓	-	
<b>Prohibited Uses</b>							
Adult Entertainment	-	-	-	-	-	-	
Credit Access Business	-	-	-	-	-	-	
Pawn Shop	-	-	-	-	-	-	
Tattoo Studio	-	-	-	-	-	-	

\* These uses are permitted with approval of a Conditional Use Permit when located within 200' of Boonville Road

## Signage System

As a part of the overall master plan for Oakmont, the community is proposed to be branded with a cohesive signage system. The Developer proposes to install permanent signs in some or all of the locations in general conformance with the attached Oakmont Signage System Exhibit. The permanent signs may or may not be identical in design, but will draw from a complimentary palette of materials, graphics, and style within the overall community character. All permanent signs and hardscape elements will be located entirely on private property. In addition to permanent signage, wayfinding and marketing signs are proposed to be used. Street name and other traffic signs will also be designed to follow the community character.

1. Primary Community Entry Monument –The primary community monument will be located at the intersection of Oakmont Boulevard and University Dr. This monument will be of significant scale in order to act as a landmark for the primary community entry. The concept for the monument includes a wall and tower element. These hardscape items will be designed within the constraints outlined below.
  - a. Wall Height – The wall height will not exceed twelve feet (12’).
  - b. Tower Height – The tower height will not exceed thirty feet (30’).
  - c. Setback – Hardscape elements will be set back from University Drive a minimum of twenty-five feet (25’) and from Oakmont Boulevard a minimum of ten feet (10’).
  - d. Font Size – Font size will not exceed two feet (2’), and the overall graphic portion of the monument will not exceed 60 square feet.
  - e. Lighting – Signage may be illuminated using an indirect lighting source.
2. Secondary Community Entry Monuments – Secondary community monuments may be used at community entrances on Boonville Road as shown on the exhibit. They will be smaller in scale, and will be designed within the constraints outlined below.
  - a. Height – The height of hardscape elements will not exceed eight feet (8’), unless the hardscape element is a vertical feature, such as a column, sculpture, or fountain, in which case, the total square footage of it will not exceed 60 square feet.
  - b. Setback – Hardscape elements will be set back from Boonville Road a minimum of fifteen feet (15’) and from interior roadways a minimum of ten feet (10’).
  - c. Font Size – Font size will not exceed one foot (1’), and the overall graphic portion of the monument will not exceed 60 square feet.
  - d. Lighting – Signage may be illuminated using an indirect lighting source.
3. Residential Neighborhood Identifiers – Hardscape and/or landscape elements may be used to identify smaller residential neighborhoods within the overall community. These elements may consist of blade walls, columns, retaining walls, sculptures, planters, fountains, or other hardscape and/or landscape elements. They may or may not include words or graphics. Materials, graphics, and style will be complimentary to the overall community character. The permanent Residential Neighborhood Identifier may be supplemented with temporary marketing and/or wayfinding signs (defined below). They will be designed within the constraints outlined below.
  - a. Height – The height of hardscape elements will not exceed six feet (6’), unless it is a vertical feature such as a column, sculpture, or fountain, in which case, it will not exceed 60 square feet.
  - b. Setback – Hardscape elements will be set back from interior roads a minimum of ten feet (10’).
  - c. Font Size – Font size will not exceed one foot (1’), and the overall graphic portion of the sign will not exceed 60 square feet.
  - d. Lighting – Signage may be illuminated using an indirect lighting source.

4. Mixed-Use District (Planning Area III) Signage – Signs installed adjacent to Multi-family and/or non-residential uses by the Developer or a third party developer will comply with both the Oakmont Commercial Guidelines and the City of Bryan sign regulations described in Chapter 98 of the City’s Code of Ordinances. Prior to submitting an application to the City of Bryan for a sign permit in the Mixed-Use District, the Developer or third party developer must obtain approval from the Architectural Control Committee (ACC) of the Commercial Association. Sign standards shall be as follows:
  - a. Single-Family Residential – same as Residential District – 5000 (RD-5).
  - b. Multi-Family Residential – same as Multiple-Family District (MF).
  - c. Non-residential – same as Retail District (C-2).
  
5. Trail and Park Signage –A sign standard incorporating the colors, materials, and style that fits within the overall community character will be designed and used throughout the trails and park system. The sign standard will be reviewed and approved by City staff. In addition to the standard sign, “park identifiers” may also be incorporated into landscape or architectural elements of the park such as archways, seating or retaining walls, custom gates, sculptures, arbors, etc. The intent is to allow for creativity of design in order to form a unique personality for each park that fits within the overall community character. The standard signs and park identifiers will be designed within the constraints outlined below.
  - a. Height – The height of hardscape elements will not exceed eight feet (8’).
  - b. Setback – Hardscape elements will be set back from interior roads a minimum of ten feet (10’).  
Signs will be located entirely on private property.
  - c. Font Size – Font size will not exceed one foot (1’).
  - d. Lighting – Signs may be illuminated using an indirect lighting source.
  
6. Wayfinding and Marketing Signage – An active marketing program is planned for Oakmont throughout the new home sales life of the community. A marketing and wayfinding signage system will be an essential component of the marketing program. A marketing sign standard that incorporates the colors, materials, and style complimentary to the overall community character will be developed. Marketing and wayfinding signs will not exceed fifty square feet (50 sf). All sides of the marketing sign will be painted or stained to provide for a finished look. Prior to the installation of permanent primary and secondary community entrances, temporary marketing signs, not to exceed 100 square feet (100 sf), may be installed at proposed community entrances on Boonville Road and University Drive. Marketing signs will be used on Oakmont Boulevard, Boonville Road, Pendleton Drive, Cross Park Drive, and throughout residential streets to guide prospective homebuyers to available inventory, Model Homes, Real Estate Sales Center, and/or the Neighborhood Amenity Center.
  
7. Street Signage – A community sign standard will be developed for all street name signs and other traffic signs in the community. Street signage shall conform to the Texas Manual on Uniform Traffic Control Devices (TMUTCD) and shall be reviewed and approved by City staff.
  
8. Other Signs – All other signs shall comply with the Oakmont Residential Guidelines, the Oakmont Commercial Guidelines (as applicable), and the City of Bryan Sign Ordinance. The more stringent criteria will take precedent.
  
9. Street Lights – A decorative community street light standard will be used throughout Oakmont. The specifications for the street light standard will be coordinated with and approved by Bryan Texas Utilities.



Oakmont Signage System Exhibit - 9/27/16

### Thoroughfare Plan

The development plan proposes a network of local streets, which, once fully built-out, will connect all phases of this subdivision with local streets with a 50-foot right-of-way and at least 27 feet of pavement. In addition to the extension of University Drive, a major arterial street, along the southeast boundary of the subject property, the development proposes the following major street improvements, in accordance with the City's Thoroughfare Plan:

1. an eastward extension of University Drive;
2. a northward extension of Pendleton Drive;
3. a west-to-east connection between Copperfield/Canterbury Drives to the University Drive extension ("Oakmont Boulevard");
4. an extension of Canterbury Drive through the north side of the development; and
5. an additional major driveway on Boonville Road (FM 158) across from Cross Park Drive.

Traffic calming techniques are proposed to be included in the geometric design of the streets within the proposed PD-M District with specific attention given to Oakmont Boulevard.

### Traffic Impact Analysis

The developer retained Kimley-Horn and Associates, Inc. of Fort Worth, Texas to perform a traffic impact analysis (TIA) for the proposed Oakmont Development. The analysis represents a review of the traffic impacts of the project, based on land use and site plan information, and identified the key traffic issues at key intersections near the 409-acre subject property.

The study concluded that by the anticipated build-out year of the new subdivision (approx. 2026), the following major improvements should be made:

1. install a traffic signal at Boonville Road/Pendleton Drive intersection
2. construct westbound right-turn lane at Boonville Road/ Cross Park Drive intersection
3. construct westbound right-turn lane at Boonville Road/Pendleton Drive intersection

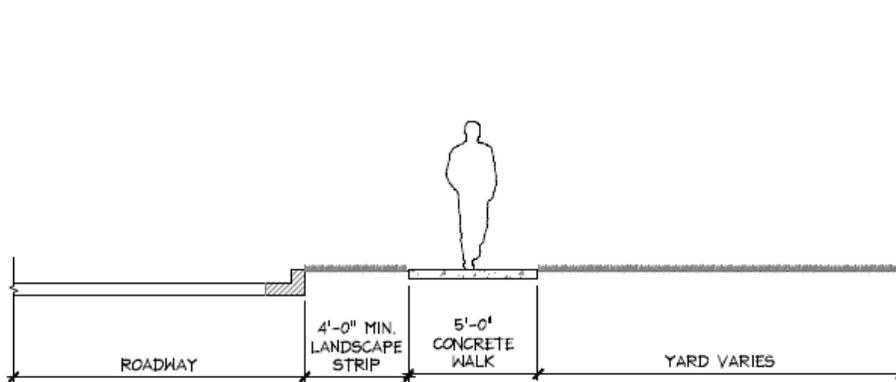
Neither of these off-site improvements to mitigate traffic-related concerns will be the responsibility of the developer under current City ordinances or policies. Instead, any such traffic system improvements will likely have to be funded as part of future Capital Improvement Plan projects, in cooperation with the Texas Department of Transportation (TxDOT) as Boonville Road (FM. 158).

### Park and Trail System

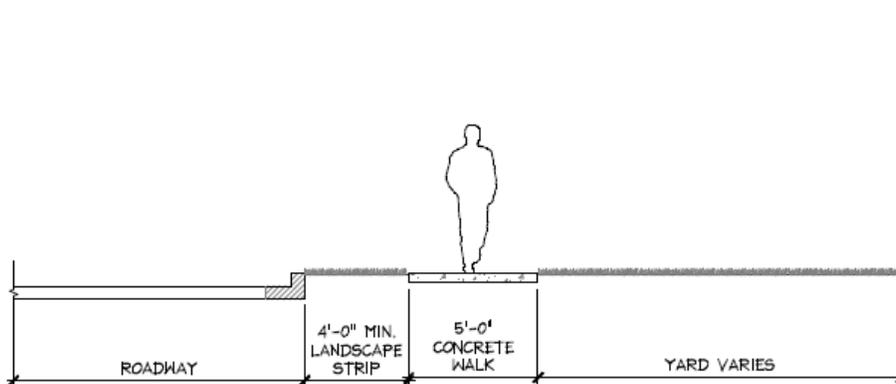
The Oakmont Trail and Park System is proposed to be in lieu of ordinary parkland dedication and development standards of the City's Subdivision Ordinance. The Trail and Park System will be accessible to the general public. Operation, repair and maintenance of the Oakmont Trail and Park System will be the responsibility of, and controlled by, the Residential Association or the Commercial Association. The City of Bryan will not be responsible for operating, repairing, or maintaining the Oakmont Trail and Park System. The City's Parks and Recreation Advisory Board is scheduled to consider the trail and park system proposal during its regular meeting on October 18, 2016.

The trail system for Oakmont will consist of a hierarchy of connected trails including interior residential neighborhood trails, commercial district trails, greenbelt trails, and community trails on Pendleton Drive and Oakmont Boulevard. The greenbelt trails will include approximately 13,000 linear feet. All other trails will follow the roadway system as described below.

Interior Residential Neighborhood Trails in Planning Areas I and II – A five foot (5') concrete sidewalk will be installed on one side of the street at the time the adjacent street is paved. The sidewalk will be located a minimum of four feet (4') from the curb.

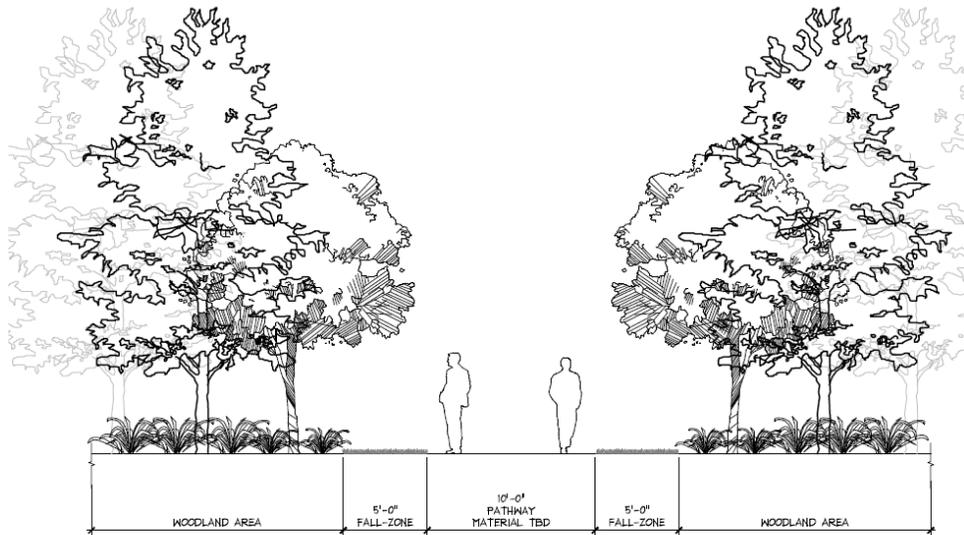


Mixed-Use District Trails in Planning Area III – A five foot (5') concrete sidewalk will be installed on one side of the street at the time the adjacent street is paved. The sidewalk will be located a minimum of four feet (4') from the curb.

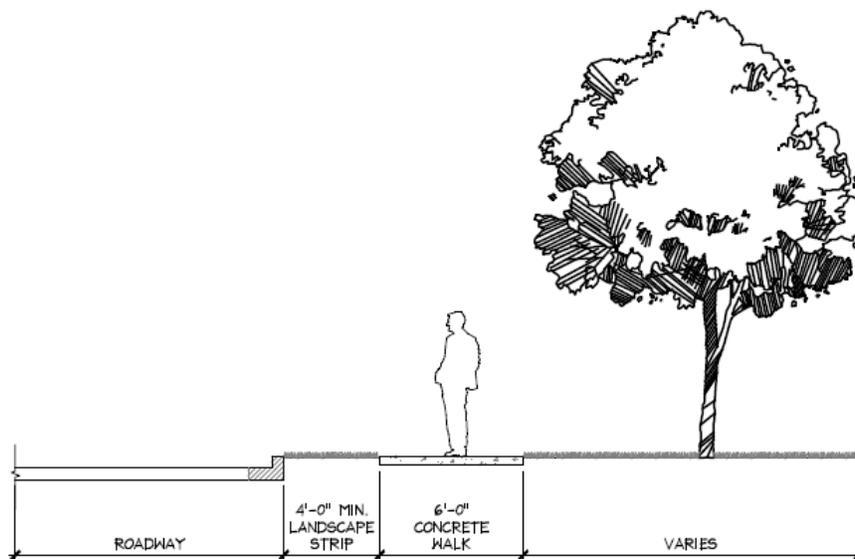




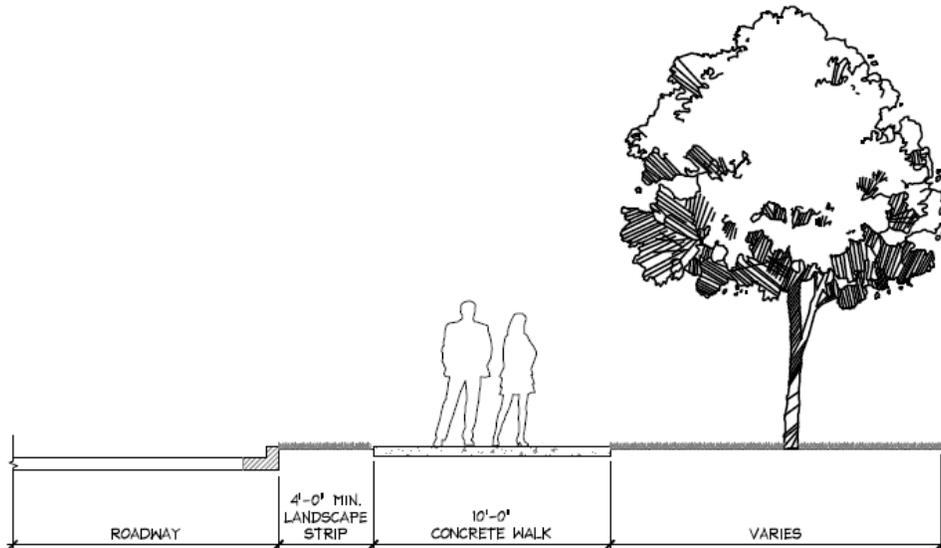
Greenbelt Trails – A ten foot (10') trail will be installed as shown conceptually on the Parks and Trails Exhibit. The greenbelt trails will be installed in phases based upon development phasing. Any greenbelt trail located within 50' of a residential lot will be constructed at the time the lot is developed. Greenbelt trails will have a five foot (5') fall-away zone on each side. The material for the trail may be concrete, decomposed granite, or other material.



Pendleton Drive Trails – – A six foot (6') or ten foot (10') concrete sidewalk will be installed on one side of the street at the time the adjacent street is paved (as shown on the Parks and Trails Exhibit). The sidewalk will be located a minimum of four feet (4') from the curb. The sidewalk may meander in between the street right-of-way and adjacent landscape setbacks.



Oakmont Boulevard Trails – A ten foot (10') concrete sidewalk will be installed on one side of the street at the time the adjacent street is paved. The sidewalk will be located a minimum of four feet (4') from the curb. The sidewalk may meander in between the street right-of-way and landscape setbacks.



The Park System for Oakmont will provide for the parkland needs of future residents through the development of a variety of parks, located within the community. Parks will be developed by the Developer on land suitable for parks and recreational purposes and deeded to and maintained by either the Commercial Association or the Residential Association. The park system will include 3 signature parks, available to the general public, totaling a minimum of 8.8 acres and greenbelt parks totaling a minimum of 60 acres, developed in general conformance with the attached Parks and Trails System Exhibit. The development of the 3 signature parks will provide for a variety of active and passive recreational opportunities. They will be interconnected through greenbelt trails, sidewalks, and roadways, allowing residents multiple means of access. In addition to serving as the primary means of parkland connectivity, the greenbelt parks will significantly expand the usable and visual area of each of the signature parks, creating both an experiential and physical identity that promotes pride of place and a sense of wellness. Upon the completion of development of a signature park or a greenbelt park, it will be deeded to either the Commercial Association or the Residential Association. The parks will be developed in phases.

1. First Park - The first park will be developed with the first phase of lot development. Development of the first signature park will include improvements worth at least 100% of the park development fee for the total number of dwelling units (multi-family and single-family) platted in Phase 1. This park will be located adjacent to the Neighborhood Amenity Center and will benefit from shared parking. It will also be located adjacent to a portion of the greenbelt park and will benefit from the additional open space acreage, allowing for a broader range of recreational uses and experiences. The primary amenity of the first park will be an open-air pavilion that will serve as a social gathering space for community events. The first park may include other amenities such as a trailhead into the greenbelt trails, restroom facilities, playgrounds, a butterfly garden, or other compatible elements.
2. Second Park – The second park will be developed with the third phase of lot development or when Oakmont reaches 250 occupied single-family homes, whichever occurs first. Development of the second signature park will include improvements worth at least 100% of the park development fee

for the total number of dwelling units platted in Phases 2 and 3. This park will be located adjacent to a portion of the greenbelt park and will benefit from the additional open space acreage. Amenities in this park may include a multi-use play field, disc golf, a trail-head into the greenbelt trails, a butterfly garden, or other compatible elements.

3. Third Park - The third park will be developed with the fifth phase of development or when Oakmont reaches 500 occupied single-family homes, whichever occurs first. Development of the third signature park will include improvements worth 100% of the park development fee for the actual number of dwelling units platted in the community at build-out, less the actual investment of park development improvements previously expended in the first and second parks. This park will be located adjacent to a portion of the greenbelt park and will benefit from the additional open space acreage. Amenities in this park may include a treehouse, reading garden, a butterfly garden, a trailhead into the greenbelt trails or other compatible elements.
4. Greenbelt Parks - The greenbelt parks will be developed in phases, based on the phasing of the greenbelt trails described above. The sixty-acre greenbelt park will serve as the unifying fabric of the community that wraps all other uses and elements together. It will include a ten-foot (10') wide trail system and may include other elements such as mile markers, exercise or obstacle course stations, look-out areas, resting spots, educational signage regarding the surrounding natural features, flora and fauna, or other compatible elements. Access to such a large expanse of green space will promote vitality and quality of life for individual residents and the community at large.

#### Water and Sewer Utilities

Currently this property lies within the water certificates of convenience and necessity (CCNs) of both the City of Bryan and Wickson Creek Special Utility District (WCSUD). A CCN holder has the exclusive right to sell water within its CCN area. The City of Bryan currently holds the water CCN that includes that approximately 94-acre portion of the 409-acre Oakmont property that is currently zoned PD District, as well the area located within approximately 700 feet of Boonville Road (FM 158). The City of Bryan has the exclusive right to provide sewer utility service for the entire 409-acre Oakmont property.

#### **RELATION TO BRYAN'S COMPREHENSIVE PLANS:**

The City of Bryan's 2007 Comprehensive Plan includes policy recommendations related to the various physical development aspects of the community. 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 balance of land uses within the City by achieving a sustainable mix of land use types in suitable locations, densities and patterns. City-wide land use policies articulated in the Comprehensive Plan suggest that single-family residential land uses should be located in areas that are: (1.) protected from but accessible to major roadway network, commercial establishments, work places and entertainment areas; (2.) accessible to collector and arterial streets, but directly accesses local streets; and (3.) not adjacent to major arterials or freeways without adequate buffering and access management. The Comprehensive Plan also suggests that commercial uses are appropriate at points of high visibility along non-residential arterial and major collector streets and at intersection of major streets.

Because of the growing cost of transportation and land, and the general aging of the population, the Comprehensive Plan proposes 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 following objective and two related action statements are applicable to the Oakmont community master-planning effort include:

#### 6.5 Goals, Objectives and Action Statements

##### GOAL #1: PROVIDE A SAFE, EFFICIENT AND CONVENIENT MULTI-MODAL TRANSPORTATION SYSTEM

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. All of these aforementioned considerations are still valid under the new proposed Comprehensive Plan “Blueprint 2040” which is scheduled for final adoption by the Bryan City Council on October 25, 2016.

#### **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 and their relationship to general area and the City as a whole.

**Staff believes that the proposed combination of commercial and residential land uses on these 409 acres is appropriate at this particular location and is in accordance with land use recommendations of the Comprehensive Plan. The subject property lies in an area that is considered to be one of the city’s higher growth areas due to its proximity to existing retail/commercial development and established neighborhoods. The subject property is surrounded by four of Bryan’s most stable neighborhoods, Miramont, Copperfield, Tiffany Park, and Park Hudson. Staff believes that the proposed development of residential properties on a majority of these 409 acres, combined with the construction of a unique park and trail system, will produce a successful continuation of single-family residential development on the City’s east side, not only for the benefit of the new residents in this neighborhood, but for residents of adjoining neighborhoods and all of Bryan alike.**

**While single-family residential uses will occupy most of the master-planned Oakmont community, Planning Area III, an area approximately 1,500 feet deep from Boonville Road, will allow not only for desirable retail development in close proximity to the new home sites, but also allow for an appropriate transition in land use intensities from retail to single-family residential. Planning Area III will not only offer the exposure which most retail trade requires, but will also be convenient and accessible to the adjacent single-family residential neighborhood. The range of allowed or potentially allowed uses has been carefully selected to help guarantee overall compatibility with the envisioned Oakmont concept.**

2. Whether there is availability of water, wastewater, storm water, and transportation facilities generally suitable and adequate for the proposed use.

**City of Bryan utilities will be available for this development for point-of-use extension based on applicable utility extension polices and/or ordinances. Staff has not received any feedback from franchised utility companies that any utility services would not be available in this proposed subdivision. The developer has been made aware of the existing utility capacities and the requirement to extend public infrastructure to and through this property in accordance with existing standards. Staff is not aware of any circumstances that would prevent this property from having access to required utilities.**

**Staff believes that the proposed layout of streets within this Planned Development – Mixed District will provide the desired connectivity that the City’s Thoroughfare Plan envisions. Construction of the proposed major street improvements, extensions of University and Pendleton Drive, a west-to-east connection between Copperfield/Canterbury Drives to the University Drive extension (“Oakmont Boulevard”) and an extension of Canterbury Drive through the north side of the development; and, will provide for adequate access to the City’s existing road network. The developer has also committed to incorporate traffic calming measures within the infrastructure design for this new subdivision.**

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 in the adjoining Miramont, Copperfield, and Tiffany Park neighborhoods. The closest vacant land zoned for commercial/retail development lies to the south, across Boonville Road. 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 single-family residential developments are developing at a higher-than-average pace in this general vicinity and at an average pace elsewhere in the City. Staff believes that approval of this master-planned mixed-use development may spur additional development interest in this area.**

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.

**Staff believes that if a zoning proposal for a predominantly single-family residential, mixed-use subdivision were approved for this property, there would be no need to modify the zoning designation for other areas designated for similar developments. If the proposed PD-M District were approved, staff believes there to be few, if any, effects on other areas designated for single-family residential or retail developments.**

6. Any other factors which will substantially affect the health, safety, morals, or general welfare.

**Staff is unable to discern any other factors related to this rezoning request that will adversely affect health, safety, morals, or general welfare. Staff contends that the proposed combination of single-family homes and retail establishments at this location will create an orderly zoning pattern and allow for a useful and orderly urban development of this property.**

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.

**Staff believes that the proposed mixed-use master-planned development will be compatible with existing and anticipated uses surrounding this property and in accordance with the land use recommendations of the Comprehensive Plan. 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.**

**All new development will be governed by the design guidelines for the Oakmont Residential Association or the Oakmont Commercial Association. Developer-installed signs will be in conformance with the signage plan that is part of this PD-M District. All third party developers will be required to obtain approval from the Oakmont Architectural Control Committee and the City of Bryan.**

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. Most of the developable acreage is buffered from existing uses by land features such as waterways, open space, roadways, etc. The area closest to an existing area is planned for single-family residential to mirror the existing neighborhood.**

**If the development plan were approved as now proposed, the most notable and potentially unfavorable effect from this development on abutting sites would stem from the inevitable increase in automobile traffic in this vicinity. However, any new development at this location would have a similar effect. As mentioned above, staff believes that the proposed layout of streets within this Planned Development – Mixed District will provide the desired connectivity that the City’s Thoroughfare Plan envisions.**

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 layout of road and trail system walkways can reasonably be expected to provide for adequate, attractive, and safe multi-modal traffic circulation. As mentioned above, the development plan proposes a network of local streets, which, once fully built-out, will connect all phases of this subdivision with the surrounding neighborhoods. Staff believes that the proposed development would not more adversely affect vehicular traffic circulation in this vicinity than any other predominantly mixed use subdivision built on the subject property under conventional zoning district designations.**

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. Signage in the residential portions of the development is purposefully restricted. Signage for nonresidential uses in Planning Area III is proposed to comply with the standards that also apply to properties in Bryan zoned Retail District (C-2).**

**Traffic signs will be in compliance with the Texas Manual on Uniform Traffic Control Devices. Traffic signs and lighting will be reviewed during the subdivision approval process.**

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, fire, noise, glare, and similar hazards or impacts, in conformance with applicable city ordinances. A master drainage study will be conducted and submitted as part of the subdivision approval process.**

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 believes that the proposed master-planned mixed-use development at this location will neither adversely affect health, safety, morals, or general welfare nor be materially injurious to properties or improvements in the vicinity.**

#### **RECOMMENDATION:**

Staff recommends **approving** the proposed zoning of these 400+ acres to Planned Development – Mixed Use District (PD-M), as requested.