

PLANNING AND ZONING COMMISSION  
STAFF REPORT

July 6, 2017



**Rezoning case no. RZ 17-11: MD Wheeler, LTD**

**CASE DESCRIPTION:** a request to change the zoning classification from a combination of Agricultural - Open District (A-O) and Retail District (C-2) to Planned Development – Mixed Use District (PD-M)

**LOCATION:** southeast corner of Briarcrest Drive (FM 1179) and Boonville Road (FM 158) north of Green Valley Drive

**LEGAL DESCRIPTION:** 52.683 acres of vacant land out of the J. W. Scott League, A-49, and Richard Carter League, A-8

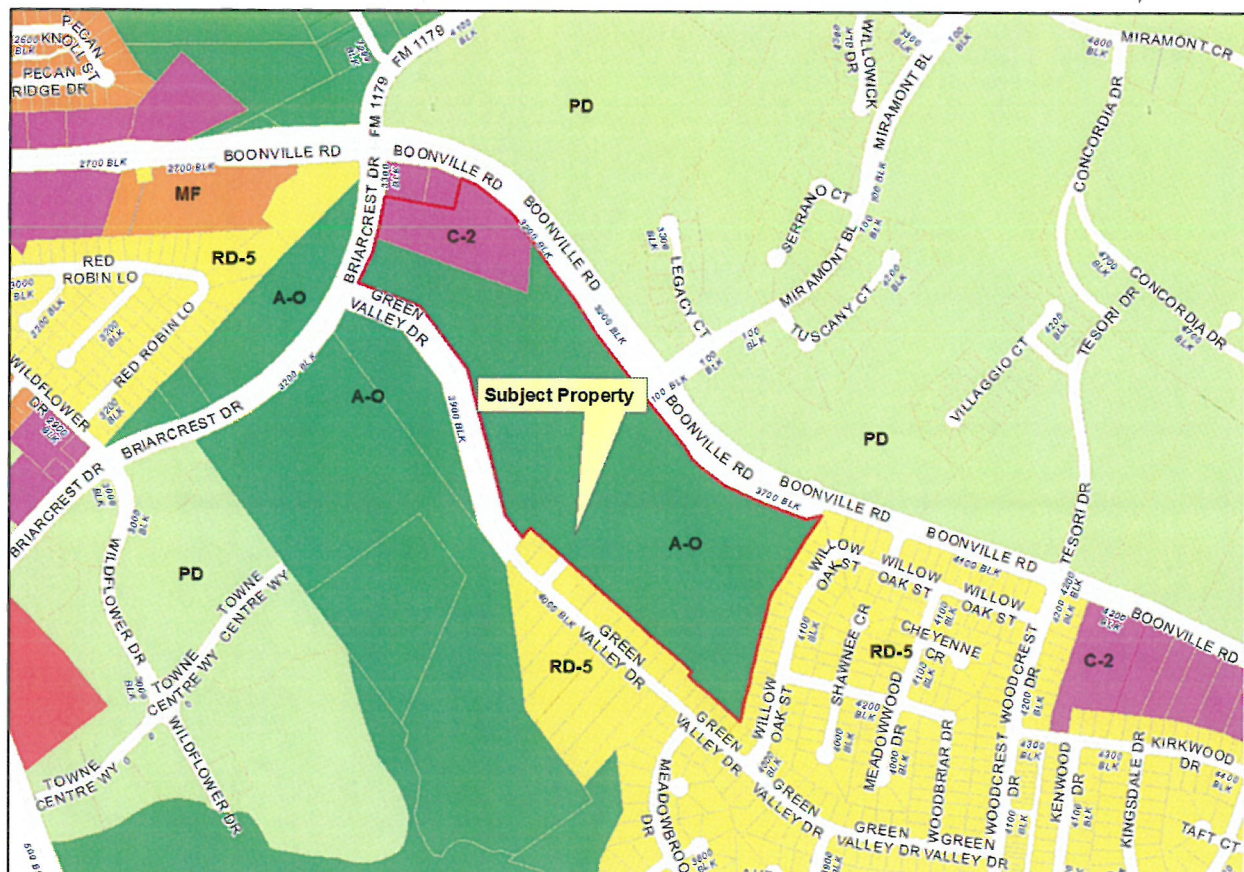
**EXISTING LAND USE:** vacant

**PROPERTY OWNER:** MD Wheeler, LTD

**APPLICANT(S):** Rabon Metcalf, RME Consulting Engineers

**STAFF CONTACT:** Stephanie Doland, Staff Planner

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





## AERIAL PHOTOGRAPH (2017):



## SURROUNDING ZONING AND LAND USES:

north	C-2, PD	convenience store, private school, country club and single-family residences
west	A-O, RD-5	vacant acreage
east	RD-5	single-family residences
south	A-O, RD-5	vacant acreage, Brazos Center, single-family residences

## BACKGROUND:

The subject property is 52.68 acres in size and adjoins the southeast corner of Briarcrest Drive (FM 1179) and Boonville Road (FM 158) north of Green Valley Drive. To the north the property is adjacent to a convenience store, and across FM 158 is Allen Academy and Miramont Subdivision. To the west of the subject tract, across Briarcrest Drive and to the southwest, across Green Valley Drive is vacant land. To the southeast, across Green Valley Drive, as well as adjacent to the eastern side of the subject tract is Wheeler Ridge Subdivision. A majority of these 52.68 acres is currently zoned Agricultural – Open District (A-O). Approximately 5.6 acres of the property nearest to the intersection of FM 158 and Briarcrest drive acres is zoned Retail District (C-2).



MD Wheeler, LTD owns the 56+ acre tract of land and is requesting rezoning of the property to a mix of open space, residential, multiple-family, office, and retail uses in a new mixed-use community referred to as the Trafalgar. The property is divided into three planning areas. Planning Area 1 is approximately 9.95 acres and is designated for “business” (office and retail) uses at the corner between FM 158, Briarcrest Drive and Green Valley Drive. Planning Area 2 is the eastern most 32.17 acres and is a combination of business, multiple-family and single-family uses. Planning Area 3 is 10.5 acres, located between Areas 1 and 2 and is proposed as an area reserved for regional detention, open space, parks, trails and referred to as the Creekridge Conservation Area. Clearing of trees, brush, vegetation, and groundcover within Planning Area 3, shall not exceed 20% of the existing forested area. The existing forested area is quantified on the attached Land Use Plan.

In an effort to accomplish the aforementioned mixture of allowed by-right land uses, the developer proposes the creation of a Planned Development Mixed-Use District (PD-M). The proposed PD-M provides the flexibility to adjust to changing market trends and development demands over time, as well as the ability to implement a cohesive system of signage, public open space 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, buffer requirements, and open space. In order to develop the subject property as planned, the applicants are proposing the following development standards:

1. Land Use:

- a. The PD-M includes designation of 3 different planning areas designed to respect and respond to existing conditions surrounding the property boundaries. Please refer to the Trafalgar Land Use Plan and Use Matrix below.
- b. The additional use of Twin Homes is proposed as an allowed use in residential areas. Twin-home is defined as: a dwelling comprised of two single-family dwelling 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, front and rear yards, and a side yard on one side of the lots.

2. Physical Development:

- a. The entire 52+ acres shall adhere to the regulations pertaining to FM 158 Corridor Overlay District and non-residential uses shall adhere to the Commercial Building Design and Color Guidelines.
- b. At least one traffic calming feature (i.e. widening of sidewalks/narrowing of streets, drive neck-downs/medians, roundabouts, and surface treatments) shall be implemented into each plat or site development.
- c. Screening and Buffer requirements are established between non-compatible zoning uses. Non-compatible uses are defined as SR - Single-Family Residential, MF – Multiple-Family Residential, and B – Business and are defined by the Land Use Matrix (see below). Buffer area requirements between non-compatible uses shall include a 6’ screening fence, the minimum buffer area and minimum landscape area as shown on the buffer area matrix below. Increased buffer area and landscaping requirements are proposed between incompatible uses and the existing Wheeler Ridge Subdivision.

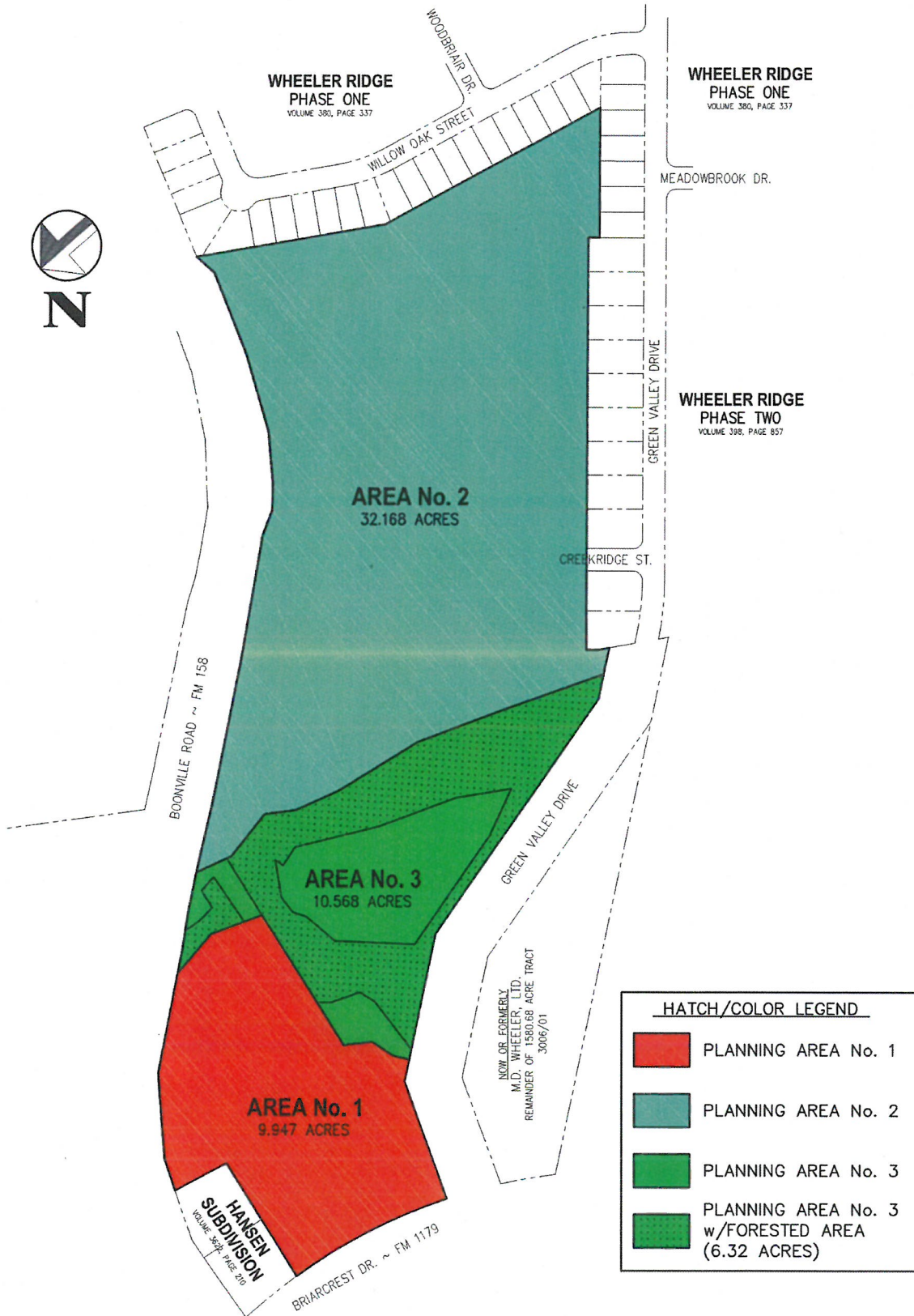
Buffer Area Matrix Minimum Width of Buffer <sup>1</sup>					
Land Use	Wheeler Ridge <sup>2</sup>	Undeveloped <sup>3</sup>	SR	MF	B
SR	0	5	0	15	30
MF	25	10	15	0	25
B	40	15	30	25	0

Buffer Area Matrix Minimum Width of Buffer to be Landscaped <sup>1</sup>					
Land Use	Wheeler Ridge <sup>2</sup>	Undeveloped <sup>3</sup>	SR	MF	B
SR	0	0	0	10	20
MF	15	5	10	0	15
B	20	5	20	15	0

3. Signage System: As part of the proposed Trafalgar PD-M District, the applicant proposes reductions to the allowed signage system within Planning Areas 1 and 2 through a community signage system. Sign locations and types shall generally comply with the sign plan included below. Four types of signage shall be permitted within the Community Signage System and are described as follows:
- a. Community Entry Monuments:
    - i. Permitted for Multi-family or Single-family Residential.
    - ii. A total of 3 community entry monuments are allowed in Planning Area 3.
    - iii. Shall not exceed 8' in height and a total area of 60 square feet.
  - b. Commercial Entry Sign:
    - i. Permitted for Business Uses.
    - ii. Limited to 1 Commercial Entry Sign in Planning Area 1.
    - iii. Shall not exceed 8' in height and a total area of 100 square feet.
  - c. Multi-Tenant Off-Premise Free-standing Signage:
    - i. Permitted for Business Uses.
    - ii. Limited to 1 Free-standing sign in Planning Areas 1 and 2.
    - iii. Shall not exceed 25' in height and a total area of 300 square feet.
  - d. Wall Signage:
    - i. Permitted for Business Uses.
    - ii. Wall signs shall be limited in size with a 1 to 1 ratio of square-footage of wall sign size to linear footage of building frontage.



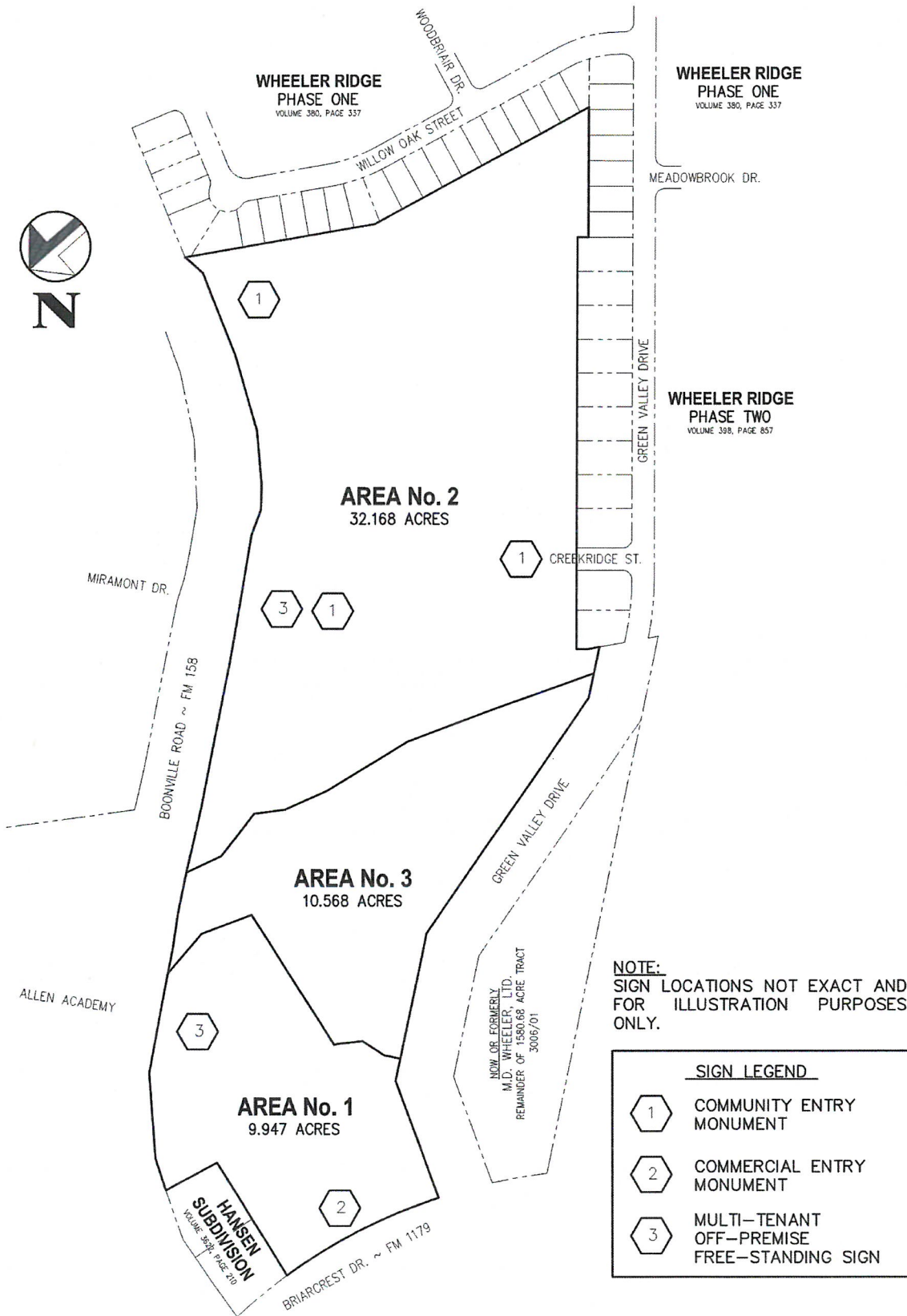
# **TRAFALGAR PD-M District – LAND USE PLAN**



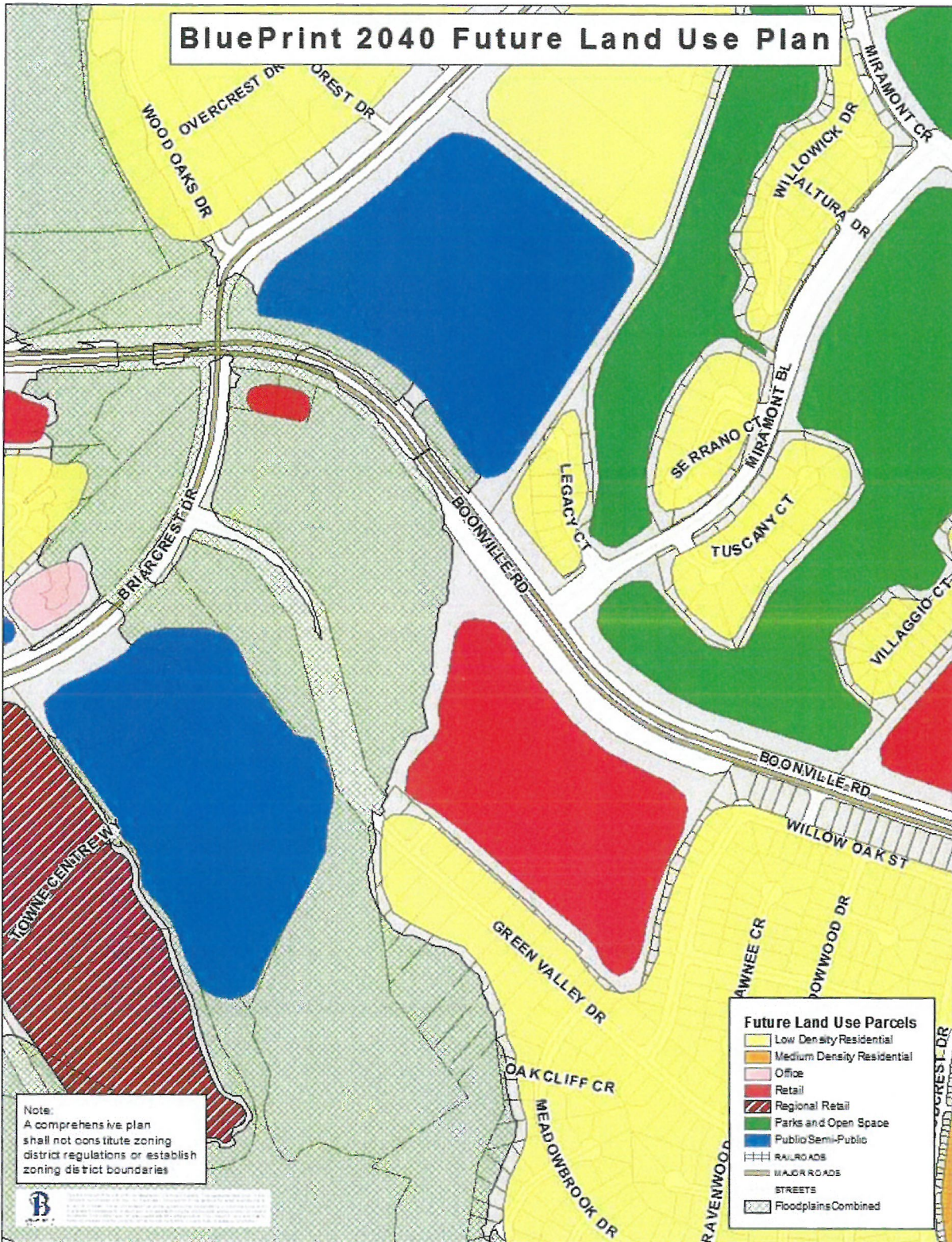
Land Use Matrix	PLANNING AREAS			
	Area 1		Area 2	
	Permitted Use	Conditional Use	Permitted Use	Conditional Use
<b>Single Family Residential</b>				
Detached Single-Family Residential			X	
Duplex				X
Gated Neighborhood			X	
Model Homes			X	
Neighborhood Amenity Center			X	
Patio Home			X	
Townhouses			X	
Twin-Homes			X	
<b>Multi-Family Residential</b>				
Condominiums			X	
Multi-Family Residential			X	
Nursing Home (retirement home)			X	
<b>Business</b>				
Assisted Living Facilities	X		X	
Banks, Savings & Loans or Credit Unions	X		X	
Bed & Breakfast		X		X
Business or Trade School	X		X	
Charitable Uses	X		X	
Child Care (Class B or C)	X		X	
Construction Field Office	X		X	
Commerical Amusement (indoor)		X		X
Dance Studio	X		X	
Fitness Center	X		X	
Funeral Home/Mortuary	X		X	
General Office Use (Professional/Adinstrative)	X		X	
Indoor Archery & Shooting Range		X		X
Laundromats (self-service washateria)	X		X	
Medical Facilities or Clinics	X		X	
Motel or Hotel	X		X	
Package Liquor Store	X		X	
Pharmacies	X		X	
Reception Hall or Community Center	X		X	
Retail Services (including incidental uses)	X		X	
Restaurant or Cafeteria	X		X	
School or Educational Support Facilities	X		X	
Studio	X		X	
Theater (indoor)		X		X
Heating or Air Conditioning Sales/Service		X		



# **TRAFALGAR – SIGN PLAN**



EXCERPT FROM FUTURE LAND USE PLAN MAP:





## **RELATION TO BRYAN'S COMPREHENSIVE PLAN, (BLUEPRINT 2040):**

Blueprint 2040, the City of Bryan's Comprehensive Plan, is the framework for the establishment of zoning and other regulatory tools. The current plan includes policies and recommendations related to the various physical aspects of the community. These aspects are supported by a set of goals and objectives. The Future Land Use Plan identifies the subject 52.68 acres of land as a combination of land uses, including flood hazard area and retail designations. Of the 52.68 acres, approximately 30 acres are considered within the flood hazard area and outside of an area typically considered suitable for development. The remaining 22 acres of the subject property is identified as suitable for retail uses. The following excerpts from the Blueprint 2040 may be relevant for consideration of this request:

### **Land Use Policies**

Negative impacts on historic areas or environmentally sensitive areas, including wildlife habitat areas and topographically constrained areas within the floodplain, should be avoided or adequately mitigated.

Floodplain areas should be preserved but may be incorporated into recreational areas where appropriate and/or reclaimed for development in accordance with the City of Bryan's drainage regulations.

The City should encourage flexibility when drafting special regulations or plans geared toward redevelopment and/or infill projects.

Residential redevelopment and/or infill must be sensitive to the context within which it occurs. Contextual standards shall be included to ensure compatibility with surrounding residential areas to include lot size, setbacks, density, building height and mass, and architectural design.

### **Mixed-Use Development**

Areas with this land use designation are intended for an appropriately planned mixture of non-residential and residential uses. They are referred to as mixed-use because it is envisioned that these areas would be integrated developments of retail, public, office and entertainment, with a residential component appropriately blended into larger scale buildings that would otherwise be used to support those uses independently. Mixed-use areas are intended to provide flexibility for the City and the development community in order to encourage innovative, unique, and sustainable developments.

- A well thought-out, master planned approach is needed to make certain these development types are coordinated with surrounding developments.
- Mixed-use design should be oriented around the pedestrian.
- Buildings should be placed near the front property line and should be oriented towards the street.
- Additionally, much of the mixed-use designation will be located in small pockets.
- Mixed-use development should be located at high points of visibility, such as along arterials and collectors.
- They should serve as a buffer and transition between higher intensity uses and lower density residential areas.

## **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 residential and non-residential land uses on these 52+ acres is appropriate at this particular location and is in accordance with land use recommendations of the Comprehensive Plan. The land use policies of the Comprehensive Plan suggests mixed-use developments are appropriate along arterial roadways and at high points of visibility. The subject property is at a high point of visibility as it is adjacent to the intersection of two heavily traveled major arterial roadways, Briarcrest Drive and FM 158.**

**The proposed request for PD-M zoning includes land that is currently zoned Retail District and therefore proposes adding no other uses than those already permitted on the 5.6 northwestern-most acres of the subject property. Proposed Planning Area 1 allows for office and retail uses and includes these 5.6 acres of land for a total of 9.95 acres of land. Staff finds that the additional 4+ acres of land to be developed with non-residential uses are appropriate at the intersection of two major arterial roadways.**

**The Future Land Use Plan component of the Comprehensive Plan suggests the property is also suitable for retail development nearest to the existing Wheeler Ridge development. Land Use Policies included in the Comprehensive Plan suggest that infill development should be sensitive when proposed adjacent to established single-family development. The proposal by the developer stipulates that Planning Area 2, located nearest to the Wheeler Ridge Subdivision is limited up to 60% or approximately 20 acres of land for non-residential uses and establishes increased buffer area between the Wheeler Ridge Subdivision and higher intensity uses allowed within Planning Area 2.**

**Lastly, Planning Area 3 is proposed as the Creekridge Conservation Area and is in line with the Future Land Use Plan and Land Use Policies of the Comprehensive Plan. Planning Area 3 is reserved for retention, detention, parks, trails, and restricts clearing of this area for the aforementioned uses shall not exceed 20% of the existing forested area.**

**Staff believes that the range of allowed or potentially allowed uses has been carefully selected to help guarantee overall compatibility with the unique conservation area, existing Wheeler Ridge Subdivision and existing convenience store, not only for the benefit of the potential new residents in this area, but for residents of adjoining neighborhoods and all of Bryan alike.**

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 policies 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.**



A Traffic Impact Analysis (TIA) was conducted to determine the impacts of the proposed Mixed –Use development. The proposed PD Concept Plan is consistent with the findings of the TIA and proposes five connections to the subject property. Connection points are shown on the proposed PD Concept Plan at Creekridge Street, Green Valley Drive and 3 connections along FM 158. Staff believes that the proposed driveway connections within this Planned Development – Mixed District will provide desired connectivity that meets the intent of the City's access and circulation requirements and applicable ordinances. Additionally, with the proposed PD-M ordinance the developer has also committed to incorporate traffic calming measures within the infrastructure design for this new mixed-use 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 Miramont subdivision located across FM 158 from the subject property. The nearest property zoned for multiple-family residential development is located approximately 500 feet to the west of the subject property adjacent to FM 158. The closest vacant land zoned for office/retail development lies to the northwest, across Boonville Road approximately 1,000 feet. 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. Similarly, multiple-family and retail developments are developing at a higher-than-average pace in this vicinity when compared to other areas in Bryan. Staff believes that approval of this master-planned mixed-use infill 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 combination of residential and non-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, multiple-family residential, office 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 dwellings, multiple-family development and business establishments (office and retail) 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 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 guidelines of the FM 158 Corridor Overlay District, Commercial Design Guidelines and the Trafalgar Commercial and Residential Association. All third party developers will be required to obtain approval from the Trafalgar Commercial or Residential Association 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. The vacant land nearest to an existing established residential neighborhood, Wheeler Ridge, is required to abide by an increased buffer area and landscaping requirements than is currently required by the City Ordinance. Additionally, more than 10 acres of the property is proposed to be a conservation area with water features and open space for the enjoyment of future and current residents in the vicinity.**

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. 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. The subject property is adjacent to two major arterial roadways, Briarcrest Drive and FM 158, each of which are capable of handling increased traffic associated with this development.**

**The Traffic Impact Analysis (TIA) provided by the applicant assumes a specific land use and density projection. Should the actual development differ from the assumed projections within the TIA, a revised TIA will be required to reflect the traffic impacts of the development. The TIA suggests that a moderate but acceptable delay currently occurs between the area of Green Valley and Briarcrest Drives. At the time of site plan submission a revised TIA will be required to detail when and what mitigation strategies are necessary for the intersections surrounding the subject property, specifically the intersections of Green Valley /Briarcrest Drives and FM 158 and the Allen Academy driveway. Staff believes that the proposed mixed-use 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 all business uses in Planning Area 1 has been reduced to allow for one multi-tenant freestanding sign and one commercial entry monument, each of which is regulated in regards to setbacks, height and overall area. Similarly, Planning Area 2 is also restricted to one multi-tenant freestanding sign and three residential community monument signs. 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. Each of the 3 planning areas are required to provide the appropriate drainage and detention facilities for proposed development in each respective planning area. Planning Area 3 is proposed to be the Carters Creek "Creekside Conservation Area" for the use of regional detention, retention and/or public open space. 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 52.683 acres to Planned Development – Mixed Use District (PD-M), as requested.