

**Agenda Item Details**

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| Meeting        | Sep 25, 2018 - Bryan City Council Special Meeting   |
| Category       | 6. Regular Agenda - This agenda consists of items requiring individual consideration by Council.  |
| Subject        | C. Rezoning Case No. RZ18-24 - Staff presentation and consideration of the first and only reading of an ordinance of the City of Bryan, Texas, to amend a previously approved Planned Development – BioCorridor District (PD-BC) within the City of Bryan generally located along HSC Parkway between State Highway 47 and Turkey Creek Road in Bryan, Brazos County, Texas, specifically by amending Section 1.2.D. to add the language “stand-alone multi-family on property located between Turkey Creek Road and the proposed extension of Atlas Pear Drive”, and Section 1.2.E. to add the prohibition “multi-family not part of a mixed use development except as otherwise allowed in Sec. 1.2.D.” |
| Type           | Action  |
| Preferred Date | Sep 25, 2018  |
| Absolute Date  | Sep 25, 2018  |
| Fiscal Impact  | No  |
| Budgeted       | No  |
| Goals          | Quality of Life<br>Economic Development   |

**Summary:**

The BioCorridor Planned Development District (PD-BC) consists of approximately 196 acres of land within both Bryan and College Station. About 51 of these 196 acres, generally located between Riverside Parkway (SH 47) and Turkey Creek Road along HSC Parkway, are located within Bryan’s City limits and the subject of this rezoning proposal. The remaining 145 acres of land are located in the City of College Station’s City limits and are going through a similar rezoning process in College Station. This area also is included within an Interlocal Agreement (ILA) between the two cities.

The idea to master plan the BioCorridor area was conceived after initial public and private investments were made in the area, including the Health Science Center, Caliber Bio-Therapeutics, and the Health Science Center Parkway. The BioCorridor was quickly designated as the future international destination for education, research, development, commercialization, and production on innovative technologies to improve global health.

In October 2012, both cities adopted identical development standards that apply to land use and development of these 196 acres to the “jointly facilitated area that seeks to create a pedestrian-friendly mixed-use urban environment that promotes cutting edge international bio-technology.” On October 9, 2012, the Bryan City Council adopted Ordinance no. 1971 establishing PD-BC District standards.

Article 4 of PD-BC District ordinance created the BioCorridor Board, a seven member board comprised of two Planning and Zoning Commissioners and one City Councilmember from each City, respectively, as well as one Texas A&M University System appointee. The Board was created for the purpose to “review subdivision, building, and site design issues”, to make recommendations “regarding improvements in the public realm that further the aesthetics, identity, and access to and within [the District]”, and to review and make recommendations to the City’s Planning and Zoning Commissions regarding waivers to the Subdivision Design and Improvements article of the ordinance (Article 8).

Since the adoption of the BioCorridor ordinance in 2012, the BioCorridor Board has met in an official capacity a total of five times. The first meeting, in 2015, was to induct all Board members. Each consecutive meeting since has been exclusively to consider waivers to the BioCorridor PD ordinance. Earlier this year, on January 18, 2018, the Board suggested that staff research and propose amendments to the PD-BC District standards to help eliminate the need for certain waivers from ordinance standards.

Staff from both cities developed a set of 20 recommended changes to the PD-BC District ordinance that were presented to the Planning and Zoning Commissions of both cities on September 6, 2018. Both Commissions recommended approval of these changes that are itemized in the Planning and Zoning Commission staff report and attachments to this Council Action Form.

During the public hearing and ordinance consideration at the College Station City Council meeting on September 13, 2018, Councilmembers voiced concerns that the BioCorridor Board had not weighed in on the recommended changes. The College Station City Council eventually voted to approve only two changes, specifically to Section 1.2. (District Purpose Statements) of the ordinance, adding "stand-alone multi-family on property located between Turkey Creek Road and the proposed extension of Atlas Pear Drive" to the list of specific residential use examples, and clarifying that "multi-family not part of a mixed use development except as otherwise allowed in Sec. 1.2.D." is a prohibited use by adding said statement to Section 1.2.E. (Prohibited Uses) to the ordinance. The City Council advised College Station staff that the BioCorridor Board should weigh in on the other proposed changes before a decision regarding those changes will be considered.

Approval of these changes the College Station City Council approved only affects about 4% (8 acres) of the 196-acre BioCorridor property; specifically, only the area located between Turkey Creek Road and the proposed extension of Atlas Pear Drive. If the City of Bryan were to adopt the same changes, only 2 acres of land, which is less than 4% of the 51-acre Bryan portion of the BioCorridor property, would be affected by this change.

On September 18, 2018, the Bryan City Council considered the same changes that had been presented to the College Station Council five days earlier, and, following a public hearing, voted to postpone consideration of the two changes that the College Station City Council had approved, to its September 25, 2018, meeting. The Bryan City Council also advised staff that the BioCorridor Board should weigh in on the other proposed changes before a final vote on those.

In light of the existing ILA between the two cities and the stated intent of the BioCorridor effort to jointly facilitate and regulate development on these 196 acres, the draft ordinance attached to this Council Action Form only includes the exact language adopted by the College Station City Council on September 13, 2018, amending Section 1.2 (District Purpose Statements) of the PD-BC District ordinance. All other changes to the PD-BC District standards that were brought forward and considered by both cities' Planning and Zoning Commissions previously will be referred to the BioCorridor Board for consideration.

#### **Staff Analysis and Recommendation:**

With positive recommendations from both cities' Planning and Zoning Commission, the College Station City Council voted to approve the following two changes to the BioCorridor PD District ordinance during their regular meeting on September 13, 2018:

1. adding "stand-alone multi-family on property located between Turkey Creek Road and the proposed extension of Atlas Pear Drive" to the list of specific residential use examples in Section 1.2.D.; and
2. clarifying that "multi-family not part of a mixed use development except as otherwise allowed in Sec. 1.2.D." is a prohibited use by adding said statement to Section 1.2.E. (Prohibited Uses) to the ordinance.

Staff recommends that the Bryan City Council follow the City of College Station's vote to approve this zoning change to continue to be able to jointly facilitate development activity in this area.

- During the last 6 years, development patterns in the area around the BioCorridor near Turkey Creek Road, HSC Parkway, and Atlas Pear Drive have changed to include stand-alone multi-family uses. This development includes land outside of the BioCorridor just across the BioCorridor boundary line in College Station, as well as three apartment complexes in Bryan outside of the BioCorridor that have been developed within 1,000 feet of the BioCorridor area and include about 660 units and over 1,000 bedrooms.
- Approving this proposal will affect about 4% (8 acres) of the overall 196-acre BioCorridor area, and, therefore, can reasonably be expected to not threaten the integrity or intent of the BioCorridor District as a whole.
- Approving this proposal would affect less than 4% (2 acres) of the 51-acre BioCorridor area that is located within the City limits of Bryan.

If the Bryan City Council does not approve these changes, then BioCorridor District standards would no longer be unified, but, rather, separate for each city.

#### **Options:**

1. approve the requested zoning change and approve the two changes to the previously-approved PD-BC District ordinance;
2. approve the requested zoning change with modifications, which may require rescheduling the request for consideration on a future City Council meeting agenda; or
3. deny the requested zoning change.

#### **Attachments:**

1. location maps;
2. draft ordinance with exhibits;
3. staff report for case no. RZ18-24; and

4. copy of ordinance no. 1971.

RZ18-24, BioCorridor PD Amend (1).pdf (1,811 KB)

RZ18-24, BioCorridor, Redline Edits.pdf (3,133 KB)