

Agenda Item Details

Meeting	Jul 13, 2021 - Bryan City Council Second Regular Meeting
Category	4. Public Hearings and First and Only Readings of Ordinances - Open public hearing, hear citizen comments, close public hearing, staff presentation, and consider first and only reading of ordinance.
Subject	B. Rezoning Request RZ21-13 - Public hearing, presentation, and consideration of the first and only reading of an ordinance of the City of Bryan, Texas, amending Chapter 130, Zoning, of the City of Bryan Code of Ordinances, by changing the zoning classification from Residential District – 5000 (RD-5) to Retail District (C-2) on 2.37 acres of land adjoining the north corner of Sandy Point Road and Monterrey Street, being Lots 1 through 7 and Lots 20 through 22 in Block 4 and Lots 1 through 4 in Block 5 of Dansby Heights Subdivision and 0.5 acres of land out of the Stephen F. Austin League Abstract No. 9, currently addressed as 1800 Sandy Point Road in Bryan, Brazos County, Texas
Type	Action
Preferred Date	Jul 13, 2021
Absolute Date	Jul 13, 2021
Fiscal Impact	No
Budgeted	No
Recommended Action	Open public hearing, hear citizens, close public hearing. Motion to approve the first and only reading of an ordinance of the City of Bryan, Texas, amending Chapter 130, Zoning, of the City of Bryan Code of Ordinances, by changing the zoning classification from Residential District – 5000 (RD-5) to Retail District (C-2) on 2.37 acres of land adjoining the north corner of Sandy Point Road and Monterrey Street, being Lots 1 through 7 and Lots 20 through 22 in Block 4 and Lots 1 through 4 in Block 5 of Dansby Heights Subdivision and 0.5 acres of land out of the Stephen F. Austin League Abstract No. 9, currently addressed as 1800 Sandy Point Road in Bryan, Brazos County, Texas.
Goals	Economic Development Quality of Life

Summary:

The applicant, Mr. Lester Perry, is requesting to change the zoning classification on 2.37 acres of land from Residential District – 5000 (RD-5) to Retail District (C-2) to provide opportunities for retail development at this location. Adjacent property located to the north,

west, and east is zoned Multiple-Family District (MF) and RD-5, property to the south, across Sandy Point Road, is zoned Commercial District (C-3) and is the location of a tow yard.

The existing structures on the property, including a warehouse, storage building, and wireless transmission facility antenna, have been located on the property since 1983, prior to the adoption of zoning in the City of Bryan. There are no effective claims to legally non-conforming (grandfathered) land uses as the property has been vacant since 1999.

If this requested rezoning is approved, then the property owner will have the ability to repair existing structures and bring them into compliance with current codes and regulations. Any new development at this location will require the submittal of a site plan, which will be reviewed by the Site Development Review Committee for conformance with the Land and Site Development Ordinance.

Analysis and Recommendation:

During its regular meeting on June 3, 2021, the Planning and Zoning Commission concurred with staff and **unanimously recommended approval** of this rezoning request.

- A change to the C-2 zoning district is appropriate within the adopted goals and land use policies set out in BluePrint 2040. While BluePrint 2040 specifically designates the property as a location for neighborhood center uses, the size of the property and its proximity to a major intersection make it the ideal location for retail development.
- Sandy Point Road and nearby San Jacinto Lane, minor arterial roadways, are capable of accommodating traffic loads typically associated with retail development.
- The property has access to City sewer and water, and there are no concerns regarding utility capacity.
- This rezoning request, if approved, will not make land classified for similar development in the vicinity and elsewhere in the City unavailable for development.

Options:

1. approve the requested zoning change;
2. approved 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 map and aerial photographs;
2. draft ordinance with exhibits;
3. excerpt from June 3, 2021 Planning and Zoning Commission meeting minutes; and
4. staff report to the Planning and Zoning Commission.

[ORD_RZ21-13, 1800 Sandy Point Rd.pdf \(881 KB\)](#)

Motion & Voting

Open public hearing, hear citizens, close public hearing.

Motion to approve the first and only reading of an ordinance of the City of Bryan, Texas, amending Chapter 130, Zoning, of the City of Bryan Code of Ordinances, by changing the zoning classification from Residential District – 5000 (RD-5) to Retail District (C-2) on 2.37 acres of land adjoining the north corner of Sandy Point Road and Monterrey Street, being Lots 1 through 7 and Lots 20 through 22 in Block 4 and Lots 1 through 4 in Block 5 of Dansby Heights Subdivision and 0.5 acres of land out of the Stephen F. Austin League Abstract No. 9, currently addressed as 1800 Sandy Point Road in Bryan, Brazos County, Texas.

Motion by Bobby Gutierrez, second by Prentiss Madison.

Final Resolution: Motion Carries

Aye: Andrew Nelson, Buppy Simank, Prentiss Madison, Reuben Marin, Brent Hairston, Bobby Gutierrez, Flynn Adcock