

## Agenda Item Details

Meeting	Nov 09, 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	E. Rezoning Request RZ21-26 - 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 Agricultural – Open District (A-O) to Commercial District (C-3), on 13.55 acres of land out of the W. S. Martin Survey, Abstract 35, adjoining the northeast side of North Earl Rudder Freeway East Frontage Road, directly east of its intersection with North Harvey Mitchell Parkway in Bryan, Brazos County, Texas
Type	Action
Preferred Date	Nov 09, 2021
Absolute Date	Nov 09, 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 Agricultural – Open District (A-O) to Commercial District (C-3), on 13.55 acres of land out of the W. S. Martin Survey, A-35, adjoining the northeast side of North Earl Rudder Freeway East Frontage Road, directly east of its intersection with North Harvey Mitchell Parkway in Bryan, Brazos County, Texas.
Goals	Quality of Life Economic Development

### Summary:

Earl Millhollon of GH2M Ventures, LLC, is requesting to change the zoning classification on approximately 13.55 acres of land from Agricultural – Open District (A-O) to Commercial District (C-3) in order to develop a truck stop and fueling station.

Adjacent property located to the north and south is zoned Agricultural – Open District (A-O) and has yet to be developed since its annexation to the City of Bryan in 1999. Land to the east is located within Brazos County and Bryan’s Extraterritorial Jurisdiction (ETJ), and land to the west, across North Earl Rudder Freeway, is zoned a combination of C-3 and Industrial District (I). The surrounding developed area consists mostly of industrial uses and structures including Texas Triangle Park and Axis Pipe and Tube.

The C-3 zoning classification is intended predominantly for heavy retail and commercial uses of a service nature that typically have operating characteristics or traffic service requirements generally compatible with typical retail or shopping, but generally not with residential environments.

Any development at this location will require the submittal of a preliminary plan and final plat, as well as a formal site plan submittal, which will be reviewed by the Site Development Review Committee for conformance with the Land and Site Development Ordinance.

An additional 3.07 acres of this overall 36.9 acre tract has been requested to be annexed into Bryan city limits as part of this development. Bryan City Council passed a resolution on October 12, 2021, accepting the petition for annexation, and Bryan Planning and Zoning Commission will consider a recommendation for annexation on November 4, 2021. The City Council is scheduled to consider the annexation request and assignment of C-3 zoning (consistent with this rezoning request) at its regular meeting on December 14, 2021.

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

During its regular meeting on October 7, 2021, the Planning and Zoning Commission concurred with staff and **unanimously recommended approval** of this rezoning request.

- Bryan’s Comprehensive Plan (BluePrint 2040) states that the subject property is located in an area of the City reserved for regional retail uses. While the future land use plan recommends a slightly less intense zoning district for the property, the proposed zoning and truck stop development are consistent with existing industrial and heavy commercial development in the general area.
- A change to the C-3 zoning district is appropriate within the adopted goals and land use policies set out in BluePrint 2040 due to the size of the property and its location near a major intersection. This location makes the subject property the ideal location for retail and commercial development that can provide services to the nearby industrial parks.
- Both North Earl Rudder Freeway and North Harvey Mitchell Parkway, a super arterial, are capable of accommodating traffic loads typically associated with commercial development.
- City of Bryan Thoroughfare Plan depicts the future extension of Harvey Mitchell Parkway through the subject property. When the property is platted prior to development, this right-of-way will be dedicated to the City in preparation for future construction.
- With the extension of water and sewer utilities related to this development, staff expects this rezoning to create more land available 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 exhibit;
3. excerpt from October 7, 2021 Planning and Zoning Commission meeting minutes; and
4. staff report to the Planning and Zoning Commission.

[ORD\\_RZ21-26 \(A-O to C-3\).pdf \(609 KB\)](#)

### **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 Agricultural – Open District (A-O) to Commercial District (C-3), on 13.55 acres of land out of the W. S. Martin Survey, A-35, adjoining the northeast side of North Earl Rudder Freeway East Frontage Road, directly east of its intersection with North Harvey Mitchell Parkway in Bryan, Brazos County, Texas.

Motion by Reuben Marin, second by Flynn Adcock.

Final Resolution: Motion Carries

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