

Agenda Item Details

Meeting	Dec 13, 2022 - 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 RZ22-26 - 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 Residential District-5000 (RD-5) to Planned Development-Housing District (PD-H), on 0.24 acres of land located at the northwest corner of West 31st Street and South Parker Avenue, being parts of Lots 3 through 5 in Block 135 of Bryan Original Townsite, in Bryan, Brazos County, Texas
Type	Action
Preferred Date	Dec 13, 2022
Absolute Date	Dec 13, 2022
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 amending Chapter 130, Zoning, of the City of Bryan Code of Ordinances, by changing the zoning classification from Residential District – 5000 (RD-5) to Planned Development – Housing District (PD-H), on 0.24 acres of land located at the northwest corner of W. 31st Street and S. Parker Avenue, being parts of Lots 3 through 5 in Block 135 of Bryan Original Townsite, in Bryan, Brazos County, Texas.
Goals	Economic Development Quality of Life

Summary Statement:

The applicant, Katie Neason of NN Out Properties, is requesting to change the zoning classification from Residential District – 5000 (RD-5) to Planned Development District – Housing (PD-H) on 0.24 acres of land. This proposed rezoning employs a concept drawn from the Midtown Area Plan called a Cottage Court. The proposed development plan attempts to harmonize with the standards proposed in that adopted plan.

The City of Bryan adopted the Midtown Area Plan in late 2020. The plan called for development incentives and a regulatory framework intended to streamline incremental infill development projects. This proposed rezoning, although outside of the Midtown - Corridor District, is directly adjacent. The Midtown Area Plan calls for the establishment of regulations to allow for platting of courtyard subdivisions. The planned strategy involved codifying new subdivision regulations to allow for new parcels to be created that have frontage on common open space instead of a public street, when certain conditions for high quality open spaces are met. The Cottage Court process allows for the development of courtyard arrangements of single-unit structures on infill parcels. Cottage courts are intended to offer new home ownership opportunities within neighborhoods.

The proposed plan does not use pre-approved pattern plans offered by another component of the Midtown Plan, Pattern Zoning, but a design that both matches the spirit and purpose of the Cottage Pattern.

Analysis and Recommendation:

Staff recommends approval of this unique request for PD-H zoning to establish Bryan's first Cottage Court development, a concept recommended by the 2018 Midtown Area Plan. In the immediate area of the subject property, several Planned Development Districts have been approved for townhomes, to allow for the increase in density. While this PD-H is not for the construction of townhomes, the proposed PD-H will have a similar effect. The proposed development plan is guided by design principles that complement the existing framework and character of both the Midtown and Downtown Districts. The proposed residential land use will increase vehicle traffic in the area. Staff believes increased traffic impact will be mitigated due to the property's relative location near minor collector and minor arterial roadways capable of accommodating such increase in traffic volume.

The Planning and Zoning Commission considered this request during its regular meeting on December 1, 2022. Following a public hearing, a motion to approve the request failed by a tied vote of four (4) in favor and four (4) in opposition. A second motion to deny the request failed by the same tied vote, resulting in **no Planning and Zoning Commission recommendation to the City Council regarding this request**. The applicant has requested the item be forwarded for City Council consideration without a recommendation from the Planning and Zoning Commission.

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 December 1, 2022, Planning and Zoning Commission regular meeting minutes;
4. email from applicant dated December 1, 2022; and
5. staff report to the Planning and Zoning Commission.

ORD_RZ22-26, 508 South Parker.pdf (4,297 KB)

Motion & Voting

Motion to approve as amended the first and only reading of an ordinance amending Chapter 130, Zoning, of the City of Bryan Code of Ordinances, by changing the zoning classification from Residential District – 5000 (RD-5) to Planned Development – Housing District (PD-H), on 0.24 acres of land located at the northwest corner of W. 31st Street and S. Parker Avenue, being parts of Lots 3 through 5 in Block 135 of Bryan Original Townsite, in Bryan, Brazos County, Texas.

Motion by Bobby Gutierrez, second by Brent Hairston.

Final Resolution: Motion Carries

Aye: Brent Hairston, Bobby Gutierrez, James Edge, Paul Torres, Ray Arrington, Jared Salvato, Kevin Boriskie

Motion to amend by adding additional parking spaces by removing a bedroom from one unit.

Motion by James Edge, second by Paul Torres.

Final Resolution: Motion Carries

Aye: Brent Hairston, Bobby Gutierrez, James Edge, Paul Torres, Ray Arrington, Jared Salvato, Kevin Boriskie

Motion to amend to add additional parking space but not require the removal of a bedroom from a unit.

Motion by Paul Torres, second by Jared Salvato.

Final Resolution: Motion Carries

Aye: Brent Hairston, Bobby Gutierrez, James Edge, Paul Torres, Ray Arrington, Jared Salvato, Kevin Boriskie