

## Agenda Item Details

Meeting	Feb 07, 2023 - 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 Case No. RZ22-19 - 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 a combination of Retail District (C-2) and Residential District – 5000 (RD-5) to Planned Development – Mixed-Use District (PD-M), on 33.77 acres of vacant land out of the T.J. Wooten League, located southeast of the intersection of Jones and West Villa Maria Roads in Bryan, Brazos County, Texas
Type	Action
Preferred Date	Feb 07, 2023
Absolute Date	Feb 07, 2023
Fiscal Impact	No
Budgeted	No
Goals	<a href="#">Economic Development</a> <a href="#">Quality of Life</a>

### Summary:

The owner and applicant, Luminous Capital, LLC, proposes to amend the zoning classification from Retail District (C-2) and Residential District – 5000 (RD-5) to Planned Development – Mixed-Use District (PD-M) on this 33.77-acre subject tract in order to develop a new resort-style residential community. The proposed development plan separates the property into two (2) planning areas. Proposed land uses and development standards are defined and arranged as follows:

- Planning Area A consists of 30 acres of the subject property, and is the location for residential uses. These residential structures, as described within the attached development regulations, will range in size from 375 square feet (casitas) to 2,500 square feet (detached dwellings) and will be intended for both short-term rentals and permanent residency. This planning area is proposed to be platted as a 'condo regime', which will contain one lot with multiple detached structures. These structures will be owned individually, with all exterior improvements and land being owned in common.
- Planning Area B is located on the portion of the subject property adjacent to West Villa Maria Road and contains retail uses that will be available to the public, but are primarily intended to serve residents and visitors of Planning Area A.

Approximately 0.9 acres of landscape buffer area will be maintained adjacent to West Villa Maria Road. While driveway aprons will be permitted within the landscape buffer, the intent is to preserve the existing rural character of the subject property and maintain existing landscaping for screening of any parking associated with Planning Area B.

### Analysis and Recommendation:

The Planning and Zoning Commission considered this request during its regular meeting on January 5, 2023. Following the public hearing, the Commission **unanimously voted to recommend approval** of the request, adopting the written staff report and analysis as the report, findings, and evaluation of the Commission.

- The Commission finds the proposed development creates a more orderly pattern of development than what is suggested by the Future Land Use Plan (FLUP). The retail portion of the development being adjacent to West Villa Maria Road, as opposed to the entire western half of as depicted by the FLUP, is more appropriate for the subject property and the area as a whole. This proposed development also will allow for a more concise separation of retail and residential uses, which is the goal of both the development regulations for the planned development and the policies established by the Future Land Use Plan.

- Given the requested arrangement of land uses is unique, the Commission believes 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.
- The Commission finds that all required public utilities are present and have adequate capacity to serve any proposed development potentially allowed by the standards of the development plan.
- Given the primarily low-density characteristics of development on surrounding sites, the Commission finds the use and development of this site as proposed is compatible with existing land uses on abutting properties. The incorporation of retail uses adjacent to West Villa Maria Road also will support the goals of the adjacent Innovation Corridor, approved by City Council in October 2022, by providing high-quality urban amenities to the public.

**Options:**

1. approve the requested zoning change;
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 map and aerial photograph;
2. draft ordinance with exhibits;
3. excerpt from January 5, 2023, Planning and Zoning Commission regular meeting minutes; and
4. staff report to the Planning and Zoning Commission.

[ORD\\_RZ22-19 TJ Wooten PD-M.pdf \(1,607 KB\)](#)