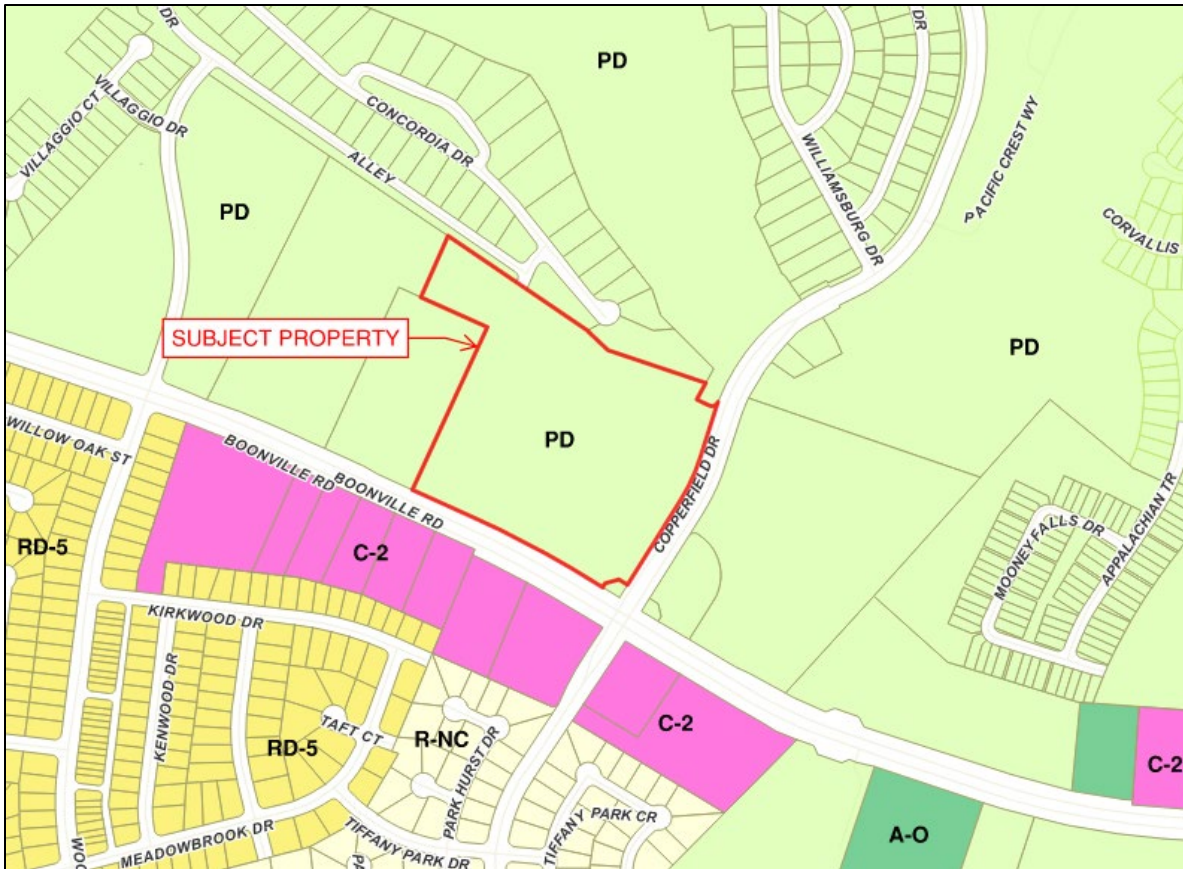
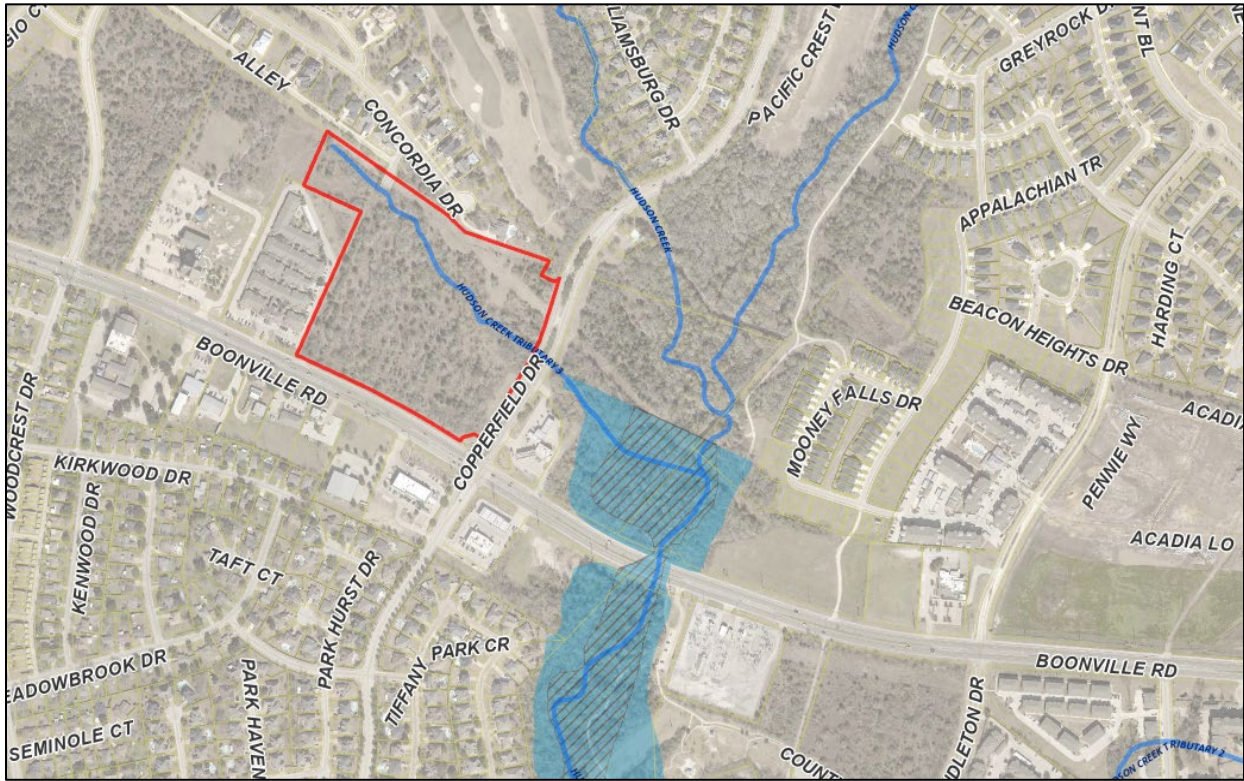


LOCATION MAP AND AERIAL PHOTOGRAPH, 2025



AERIAL VIEW (2025) WITH FEMA FLOODPLAIN & CREEKS:



ORDINANCE NO. _____

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 PLANNED DEVELOPMENT – MIXED USE DISTRICT (PD-M) TO PLANNED DEVELOPMENT – HOUSING DISTRICT (PD-H), SUBJECT TO DEVELOPMENT REQUIREMENTS SPECIFIED HEREIN, ON 20.398 ACRES OF LAND OUT OF THE J. W. SCOTT LEAGUE, ABSTRACT NO. 49, LOCATED AT THE NORTH CORNER OF BOONVILLE ROAD (FM 158) AND COPPERFIELD DRIVE IN BRYAN, BRAZOS COUNTY, TEXAS; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; FINDING AND DETERMINING THAT THE MEETING AT WHICH SAID ORDINANCE IS PASSED IS OPEN TO THE PUBLIC AS REQUIRED BY LAW; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Bryan has adopted Chapter 130, Zoning, of the City of Bryan Code of Ordinances, as amended, which divides the City of Bryan into various zoning districts; and

WHEREAS, permanent zoning changes made after the date of passage of Chapter 130 are made by adopting ordinances amending Chapter 130 for each particular permanent zoning change; and

WHEREAS, this requested change to amend Chapter 130, Zoning, of the City of Bryan Code of Ordinances, by changing the zoning classification from Planned Development – Mixed Use District (PD-M) to Planned Development – Housing District (PD-H), on 20.398 acres of land out of the J. W. Scott League, Abstract No. 49, located at the north corner of Boonville Road (FM 158) and Copperfield Drive in Bryan, Brazos County, Texas, was recommended for approval by the Bryan Planning and Zoning Commission during its regular meeting on July 17, 2025 (case no. RZ25-03).

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BRYAN, TEXAS:

1.

That Chapter 130, Zoning, of the City of Bryan Code of Ordinances be amended by changing the zoning classification from Planned Development – Mixed Use District (PD-M) to Planned Development – Housing District (PD-H), on 20.398 acres of land out of the J. W. Scott League, Abstract No. 49, located at the north corner of Boonville Road (FM 158) and Copperfield Drive in Bryan, Brazos County, Texas, said 20.398 acres being more particularly described on attached Exhibit “A”, and subject to development requirements described and/or depicted on attached Exhibits “B” and “B-1”, which are herein fully incorporated by reference for all purposes as if they were set forth in the text of the ordinance.

2.

That all ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

3.

Should any section, paragraph, sentences, clause, phrase or word of this ordinance be declared unconstitutional or invalid for any purpose by a court of competent jurisdiction, the remainder of this

ordinance shall not be affected thereby, and to this end, the provisions of this ordinance are declared to be severable.

4.

The Code of the City of Bryan, Texas, as amended, shall remain in full force and effect, save and except as amended by this ordinance.

5.

It is hereby found and determined that the meeting at which this ordinance was passed was open to the public as required by Section 551.001 et seq., Texas Government Code, and that advance public notice of time, place and purpose of said meeting was given.

6.

This ordinance shall take effect immediately upon its first and only reading and passage.

PASSED, ADOPTED AND APPROVED the 12th day of August 2025, at a regular meeting of the City Council of the City of Bryan, Texas, by a vote of ___ yeses and ___ noes.

ATTEST:

CITY OF BRYAN:

Melissa Brunner, City Secretary

Bobby Gutierrez, Mayor

APPROVED AS TO FORM:

Thomas A. Leeper, City Attorney

EXHIBIT "A":

**FIELD NOTES
OF A 20.398 ACRE TRACT
BEING PART OF THE ADAM DEVELOPMENT PROPERTIES, L.P.
TRACT 2
CALLED 20.52 ACRES VOLUME 5806, PAGE 181
BEING DESCRIBED IN VOLUME 5266, PAGE 104
J.W. SCOTT SURVEY, A-49
BRAZOS COUNTY, TEXAS
MARCH 21, 2023**

ALL THAT CERTAIN LOT, TRACT OR PARCEL OF LAND BEING 20.398 ACRES SITUATED IN THE J.W. SCOTT SURVEY, ABSTRACT NO. 49, BRAZOS COUNTY, TEXAS, AND BEING PART OF THAT CERTAIN CALLED 20.52 ACRE TRACT DESCRIBED AS TRACT 2 IN DEED FROM COLLEGE MAIN APARTMENTS, LTD. TO TAC REALTY, INC. OF RECORD IN VOLUME 5266, PAGE 104, OFFICIAL RECORDS OF BRAZOS COUNTY, TEXAS, NOW COMMONLY KNOWN AS ADAM DEVELOPMENT PROPERTIES, L.P., ACCORDING TO AFFIDAVIT REGARDING CONVERSION IN VOLUME 5806, PAGE 181, OFFICIAL RECORDS OF BRAZOS COUNTY, TEXAS, SAID 20.398 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A 1/2" IRON ROD WITH CAP STAMPED "MCCLURE" FOUND IN THE NORTHEAST RIGHT OF WAY LINE OF THE STATE OF TEXAS FM 158, ALSO KNOWN AS BOONVILLE ROAD, AS DESCRIBED IN VOLUME 4309, PAGE 64, OFFICIAL RECORDS OF BRAZOS COUNTY, TEXAS FOR THE MOST WESTERLY CORNER, SAID CORNER BEING THE MOST WESTERLY CORNER OF SAID CALLED 20.52 ACRE TRACT, SAID CORNER ALSO BEING THE MOST SOUTHERLY CORNER OF LOT 1, BLOCK 1, CARRIAGE INN SUBDIVISION, AS DEPICTED ON PLAT OF RECORD IN VOLUME 4973, PAGE 97, OFFICIAL RECORDS OF BRAZOS COUNTY, TEXAS;

THENCE N 24°53'19" E ALONG AN INTERIOR NORTHWEST LINE OF SAID CALLED 20.52 ACRE TRACT AND THE SOUTHEAST LINE OF SAID LOT 1 A DISTANCE OF 707.20 FEET TO A 1/2" IRON ROD WITH CAP STAMPED "KLING" FOUND FOR AN INTERIOR ANGLE CORNER, SAID CORNER BEING AN INTERIOR ANGLE CORNER OF SAID CALLED 20.52 ACRE TRACT, SAID CORNER ALSO BEING THE MOST EASTERLY CORNER OF SAID LOT 1;

THENCE N 65°06'41" W ALONG AN INTERIOR SOUTHWEST LINE OF SAID CALLED 20.52 ACRE TRACT AND THE NORTHEAST LINE OF SAID LOT 1 A DISTANCE OF 285.71 FEET TO A 1/2" IRON ROD FOUND FOR A NORTHWESTERLY CORNER, SAID CORNER BEING A SOUTHEASTERLY CORNER OF LOT 1, BLOCK 1, BETHEL EVANGELICAL LUTHERAN CHURCH AS DEPICTED ON PLAT OF RECORD IN VOLUME 9778, PAGE 104, OFFICIAL RECORDS OF BRAZOS COUNTY, TEXAS, SAID CORNER BEING A WESTERLY CORNER OF SAID CALLED 20.52 ACRE TRACT;

THENCE N 24°05'43" E ALONG A NORTHWEST LINE OF SAID CALLED 20.52 ACRE TRACT AND A SOUTHEAST LINE OF SAID LOT 1, BLOCK 1, BETHEL EVANGELICAL LUTHERAN CHURCH A DISTANCE OF 265.18 FEET TO A 1/2" IRON ROD FOUND IN THE SOUTHWEST LINE OF A CALLED 0.994 ACRE TRACT - COMMON AREA, MIRAMONT SECTION 7 AS DEPICTED ON PLAT OF RECORD IN VOLUME 15990, PAGE 282, OFFICIAL RECORDS OF BRAZOS COUNTY, TEXAS, FOR THE MOST NORTHERLY CORNER, SAID CORNER BEING THE MOST

NORTHERLY CORNER OF SAID CALLED 20.52 ACRE TRACT, SAID CORNER ALSO BEING THE MOST NORTHEASTERLY CORNER OF SAID LOT 1, BLOCK 1, BETHEL EVANGELICAL LUTHERAN CHURCH;

THENCE S 55°14'57" E ALONG A NORTHEAST LINE OF SAID CALLED 20.52 ACRE TRACT AND THE SOUTHWEST LINE OF SAID CALLED 0.994 ACRE TRACT AT A DISTANCE OF 358.68 FEET PASSING THE MOST WESTERLY CORNER OF A CALLED 0.707 ACRE TRACT – COMMON AREA & P.U.E., MIRAMONT SECTION 7 AS DEPICTED ON PLAT OF RECORD IN VOLUME 15990, PAGE 282, OFFICIAL RECORDS OF BRAZOS COUNTY, TEXAS, AND CONTINUING ALONG A NORTHEAST LINE OF SAID CALLED 20.52 ACRE TRACT AND THE SOUTHWEST LINE OF SAID CALLED 0.707 ACRE TRACT FOR A TOTAL DISTANCE OF 647.99 FEET TO A 1/2" IRON ROD WITH CAP STAMPED "MCCLURE" FOUND FOR ANGLE CORNER, SAID CORNER BEING AN ANGLE CORNER OF SAID CALLED 20.52 ACRE TRACT, SAID CORNER BEING THE MOST WESTERLY CORNER OF LOT 25, BLOCK 21, MIRAMONT SECTION 7 PLAT OF RECORD IN VOLUME 15990, PAGE 282, OFFICIAL RECORDS OF BRAZOS COUNTY, TEXAS, SAID CORNER ALSO BEING THE MOST SOUTHERLY CORNER OF SAID CALLED 0.707 ACRE TRACT;

THENCE S 45°56'51" E ALONG A NORTHEAST LINE OF SAID CALLED 20.52 ACRE TRACT AND A SOUTHWEST LINE OF SAID LOT 25 A DISTANCE OF 116.69 FEET TO A 1/2" IRON ROD WITH CAP STAMPED "MCCLURE" FOUND FOR ANGLE CORNER;

THENCE S 70°43'54" E ALONG A NORTHEAST LINE OF SAID CALLED 20.52 ACRE TRACT AND A SOUTHWEST LINE OF SAID LOT 25 A DISTANCE OF 402.97 FEET TO A 1/2" IRON ROD WITH CAP STAMPED "MCCLURE" FOUND IN AN INTERIOR NORTHWEST LINE OF THE MIRAMONT COUNTRY CLUB PROPERTIES CALLED 47.354 ACRE TRACT-TRACT NO.6 AS DESCRIBED IN VOLUME 6015, PAGE 113, OFFICIAL RECORDS OF BRAZOS COUNTY, TEXAS FOR A NORTHEASTERLY CORNER, SAID CORNER ALSO BEING THE MOST SOUTHERLY CORNER OF SAID LOT 25;

THENCE ALONG THE LINES OF SAID CALLED 47.354 ACRE TRACT FOR THE FOLLOWING CALLS:

S 28°19'34" W A DISTANCE OF 68.07 FEET TO A 1/2" IRON ROD WITH CAP STAMPED "MCCLURE" FOUND FOR AN INTERIOR ANGLE CORNER AND THE BEGINNING OF A CURVE, SAID CORNER ALSO BEING A SOUTHWESTERLY CORNER OF SAID CALLED 47.354 ACRE TRACT,

AROUND A CURVE IN A COUNTERCLOCKWISE DIRECTION HAVING AN ARC DISTANCE OF 26.44 FEET, A RADIUS OF 575.00 FEET, WITH A DELTA ANGLE OF 2°38'03", A CHORD BEARING OF S 63°50'18" E, AND A CHORD DISTANCE OF 26.43 FEET TO A 1/2" IRON ROD WITH CAP STAMPED "MCCLURE" FOUND FOR AN INTERIOR ANGLE CORNER,

S 65°09'19" E A DISTANCE OF 28.24 FEET TO A 1/2" IRON ROD WITH CAP STAMPED "MCCLURE" FOUND FOR THE POINT OF TANGENCY OF A CURVE, AROUND A CURVE IN A COUNTERCLOCKWISE DIRECTION HAVING AN ARC DISTANCE OF 40.94 FEET, A RADIUS OF 25.00 FEET, WITH A DELTA ANGLE OF 93°49'47", A CHORD BEARING OF N 67°55'47" E, AND A CHORD DISTANCE OF 36.52 FEET TO A 1/2" IRON ROD WITH CAP STAMPED "MCCLURE" FOUND IN THE NORTHWEST RIGHT OF WAY LINE OF COPPERFIELD DRIVE FOR A NORTHEASTERLY CORNER, SAID CORNER ALSO BEING THE BEGINNING OF A CURVE;

THENCE ALONG THE NORTHWEST RIGHT OF WAY OF SAID COPPERFIELD DRIVE AND SOUTHEAST LINES OF SAID CALLED 20.52 ACRE TRACT FOR THE FOLLOWING CALLS:

AROUND A CURVE IN A COUNTERCLOCKWISE DIRECTION HAVING AN ARC DISTANCE OF 47.27 FEET, A RADIUS OF 850.92 FEET, WITH A DELTA ANGLE OF $3^{\circ}10'58''$, A CHORD BEARING OF $S 19^{\circ}26'10'' W$, A CHORD DISTANCE OF 47.26 FEET TO A 1/2" IRON ROD WITH CAP STAMPED "MCCLURE" FOUND FOR THE END OF SAID CURVE,

$S 17^{\circ}50'41'' W$ A DISTANCE OF 188.11 FEET TO A 3/4" IRON ROD FOUND FOR THE POINT OF TANGENCY OF A CURVE,

AROUND A CURVE IN A CLOCKWISE DIRECTION HAVING AN ARC DISTANCE OF 187.50 FEET, A RADIUS OF 750.00 FEET, WITH A DELTA ANGLE OF $14^{\circ}19'26''$, A CHORD BEARING OF $S 25^{\circ}00'24'' W$, A CHORD DISTANCE OF 187.01 FEET TO A 3/4" IRON ROD FOUND FOR THE END OF CURVE,

$S 32^{\circ}10'07'' W$ A DISTANCE OF 393.65 FEET TO A CHISELED "X" IN CONCRETE FOUND FOR A SOUTHEASTERLY CORNER, SAID CORNER ALSO BEING THE NORTHEASTERLY CORNER OF THE COPPERFIELD OWNERS' ASSOCIATION, INC., CALLED 0.1133 ACRE TRACT-TRACT ONE, OFFICIAL RECORDS OF BRAZOS COUNTY, TEXAS, SAID CORNER ALSO BEING THE MOST SOUTHEASTERLY CORNER OF SAID CALLED 20.52 ACRE TRACT;

THENCE ALONG INTERIOR LINES OF SAID CALLED 20.52 ACRE TRACT AND NORTHEAST AND NORTHWEST LINES OF SAID CALLED 0.1133 ACRE TRACT FOR THE FOLLOWING CALLS:

$N 57^{\circ}49'53'' W$ A DISTANCE OF 40.00 FEET TO A 1/2" IRON ROD WITH CAP STAMPED "MCCLURE" FOUND FOR AN INTERIOR ANGLE CORNER,

$S 74^{\circ}46'09'' W$ A DISTANCE OF 56.24 FEET TO A CHISELED "X" IN CONCRETE FOUND FOR AN INTERIOR ANGLE CORNER,

$S 31^{\circ}18'16'' W$ A DISTANCE OF 18.12 FEET TO A 1" IRON BAR FOUND IN THE NORTHEAST RIGHT OF WAY OF SAID FM 158 FOR A THE MOST SOUTHERLY CORNER;

THENCE ALONG THE NORTHEAST RIGHT OF WAY OF SAID FM 158 AND SOUTHWEST LINES OF SAID CALLED 20.52 ACRE TRACT FOR THE FOLLOWING CALLS:

$N 58^{\circ}42'49'' W$ A DISTANCE OF 134.95 FEET TO A TXDOT BRASS MONUMENT FOUND FOR AN ANGLE CORNER,

$N 59^{\circ}32'57'' W$ A DISTANCE OF 115.93 FEET TO A 1/2" IRON ROD WITH CAP STAMPED "MCCLURE" FOUND,

$N 61^{\circ}51'34'' W$ A DISTANCE OF 200.21 FEET TO A 1/2" IRON ROD WITH CAP STAMPED "MCCLURE" FOUND,

$N 64^{\circ}10'45'' W$ A DISTANCE OF 117.21 FEET TO A 1/2" IRON ROD WITH CAP STAMPED "MCCLURE" FOUND,

$N 65^{\circ}04'35'' W$ A DISTANCE OF 261.80 FEET TO THE PLACE OF BEGINNING CONTAINING AN

AREA OF 20.398 ACRES OF LAND MORE OR LESS, ACCORDING TO A SURVEY PERFORMED ON THE GROUND DURING THE MONTH OF JANUARY 2023 UNDER THE SUPERVISION OF H. CURTIS STRONG, REGISTERED PROFESSIONAL LAND SURVEYOR NO. 4961 AND WORKING UNDER FIRM NO. 10093500. NORTH ORIENTATION IS BASED ON ROTATING THE SOUTHWESTERLY LINES OF THE CALLED 20.52 ACRE TRACT TO GRID NORTH, NAD83(2011)EPOCH 2010.00 TEXAS STATE PLANE, CENTRAL ZONE AS DERIVED BY GPS OBSERVATIONS.



EXHIBIT “B”
Development Requirements for
Planned Development – Housing District (PD-H)

SECTION 1: GENERAL PURPOSE AND DESCRIPTION

The development requirements for the Planned Development – Housing District (PD-H) hereinafter called “the district” or “this district”, are intended to guide land use and physical development of the subject property. This development plan is enacted as a means to provide the City and the Developer with an alternate to the standards set forth by the City for their mutual benefit.

This district is intended to be developed as a multi-family development and will be uniquely designed to ensure preservation of natural areas along the existing Hudson Creek tributary and provide additional buffering along Copperfield Drive. The preserved natural areas and large open green areas are provided to serve as an amenity to the development, provide recreational opportunities, and to preserve existing vegetation.

SECTION 2: DEFINITIONS

1. Words, terms and phrases in this Development Plan shall have the meanings ascribed to them in Bryan Code of Ordinances, with the following additions:
 - a) *Natural Area Preserve* shall be an area, identified in “Exhibit A”, which remains largely undisturbed and in its natural state to provide wildlife habitat and open space and preserve the ecosystem of the Hudson Creek tributary and the surrounding riparian area.
 - b) *Service Areas* shall mean the area or location on the site dedicated to loading, deliveries, solid waste containers, mechanical or electrical equipment.
 - c) *Building Height* shall mean the height of the structure measured from the lowest adjacent grade to the highest point on the roof structure.
2. In this specific context, the term “permitted” shall mean land uses permitted by right within the planning area specified.
3. Words, terms, and phrases that are not expressly defined in these development requirements and/or in the Bryan Code of Ordinances have their ordinary dictionary meanings, based on the latest edition of Merriam-Webster’s Unabridged Dictionary. When not inconsistent within the context, words used in the present tense include the future; words used in the singular number include the plural, and words used in the plural number include the singular.

SECTION 3: LAND USES

Permitted land uses shall be limited to the following:

- Multi-family dwelling (apartment building), greater than two dwelling units per structure;
- Accessory structures;

- Common open space, community center, recreational building, and other facilities or amenities, provided they are intended for use by the residents of the multi-family development;
- Essential municipal uses;
- Home occupations;
- Real estate sales offices during the development of residential subdivisions, but not to exceed three years;
- Temporary structures for uses incidental to construction work on the premises, which said buildings shall be removed upon the completion or abandonment of construction work.

SECTION 4: PHYSICAL DEVELOPMENT

The following standards are intended to guide site and building design in this district in order to create and maintain a human-scale environment, preserve existing natural areas, and promote placemaking through the use of design and construction methods.

Unless stated otherwise, the physical development in this PD-H district shall adhere to the FM 158 Corridor Overlay District Guidelines and shall comply with development standards and limitations of the City of Bryan Code of Ordinances that generally apply to properties in the Multiple-Family Residential District (MF).

1. The location, orientation, and size of land uses, open spaces, buffers, and landscaping shall be in accordance with “Exhibit A”.
2. All areas may be developed in phases and receive site plan approval separately. If developed in phases, a master plan depicting the proposed phases shall be submitted for review by the City.
3. Lighting:
 - a) Any new development in this PD-H District shall have exterior lighting that faces away from, and not toward, adjacent properties. Any outdoor lighting located within two-hundred feet of an adjacent residential property shall have a backlight shield installed.
 - b) Outdoor lighting levels. Outdoor lighting shall not exceed the following levels:
 - 1) 0.50 footcandle at the property line if the subject property abuts a residential district or a lot containing a residential use; or
 - 2) 1.00 footcandle at the property line if the subject property abuts a nonresidential district or lot containing a nonresidential use or at the right-of-way line.
 - c) Heights of outdoor lighting. Outdoor lighting shall not exceed the following heights:
 - 1) Light fixtures in parking lots shall not exceed a maximum height of 24 feet;
 - 2) Pedestrian walkway fixtures shall not exceed a maximum height of 12 feet.

4. Fencing:

- a) Fencing shall be allowed within the Building Setback Area subject to the approval of any easement encroachments by the controlling entities.
- b) A minimum 8-foot-high fence shall be constructed within the Building Setback Area along the northern property line bordering the adjacent Miramont neighborhood and country club. Said fence shall be constructed of brick and masonry columns with wood slats in between. This requirement is subject to the approval of any easement encroachments by the controlling entities.
- c) The remainder of the perimeter fence not described in section 4.a shall be a minimum height of 6 feet and constructed of wood, rod iron, brick, masonry, or a combination of the aforementioned materials.

5. The use of modular concrete, natural stone or other masonry retaining walls are permitted. Railroad ties and landscape timber are not permitted construction materials for retaining walls.

6. Building height shall be as shown on "Exhibit A". No additional height or height related setback requirements shall apply.

7. Building Design:

a. Buildings shall incorporate some combination of the following façade variation elements:

- 1) Expression of building structural elements (i.e., columns, water table, etc.);
- 2) Variation in wall planes (including porches both recessed or protruding, windows, louvered recessed vents, corbels, cedar brackets, etc.); and
- 3) Changes in material, material pattern and color.

1. Residential buildings shall have the following percentages of materials exclusive of openings.

- a. No less than 20% natural stone, unpainted brick, three-step hard coat cementitious stucco, unpainted integrally colored decorative concrete block, tile, composite metal panels, or smooth zinc panels.
- b. No less than 50% cementitious siding, decorative exposed concrete, or wood.

2. Clubhouse, garages, or amenity buildings shall have the following percentages of materials exclusive of openings.

- a. No less than 40% natural stone, unpainted brick, three-step hard coat cementitious stucco, unpainted integrally colored decorative concrete block, tile, composite metal panels, or smooth zinc panels.

b. No less than 25% cementitious siding, decorative exposed concrete, or wood.

8. Landscape Standards:

- a) Landscaping shall be required to screen any mechanical equipment or service areas from the public right-of-way, except in cases where the screening would render the equipment inoperable. Screening of service areas shall be no less than the height of the facilities or equipment to be screened from the public right-of-way. Masonry screening walls compatible with building architecture may be used to screen service areas in lieu of landscaping. Single wythe brick walls, wooden fencing and chain link fencing are not permitted as screening materials.
- b) The use of native or well-adapted plant material is required. Trees recommended for use in the Brazos Valley are identified on the City of Bryan trees species list and may be used to meet these requirements.
- c) All landscape areas shall be maintained by the property owner. Any undisturbed or natural areas, shall also be maintained by the property owner, as needed.
- d) A variable width landscape zone shall be established along the Copperfield Drive and Boonville Road rights-of-way.
 - 1) All required landscape points shall be located within the Landscape Zone.
 - 2) No parking shall be allowed within the Landscape Zone.
 - 3) The following items shall be allowed within the Landscape Zone:
 1. Monument signage;
 2. Driveways, access gates, access equipment, and fencing;
 3. Landscaping and landscape accent lighting;
 4. Permanent automatic irrigation system;
 5. HVAC and meters/metering equipment (to be screened per requirement 6.a); and
 6. Below grade utilities required for the development.

9. Natural Area Preserve:

- a. The Natural Area Preserve shall be established around the floodplain, as established by the FEMA flood study, and creek area. Underbrush clearing that does not remove or endanger the existing trees may be performed. Clearing may be performed for the installation of items listed in section 9.c. Any trees removed for the installation of items listed in section

9.c will be replaced at a ratio of 2:1 caliper-inches. The creek and surrounding trees are to be preserved to provide screening of the buildings and property from adjacent neighborhoods.

- b. The Natural Area Preserve will not require landscape irrigation.
- c. The following items shall be allowed within the Natural Area Preserve:
 - 1) Storm drainage infrastructure;
 - 2) Site utilities required for the development; and
 - 3) New easements required for the proposed development.

10. Parking:

- a. Parking ratios shall comply with the current City of Bryan Code of Ordinances.
- b. Parking area entrances that are gated and for private access only shall contain appropriate vehicle maneuvering and queuing space, such that a vehicle has the ability to turn around and that the minimum throat depth is met per City of Bryan Code of Ordinances.

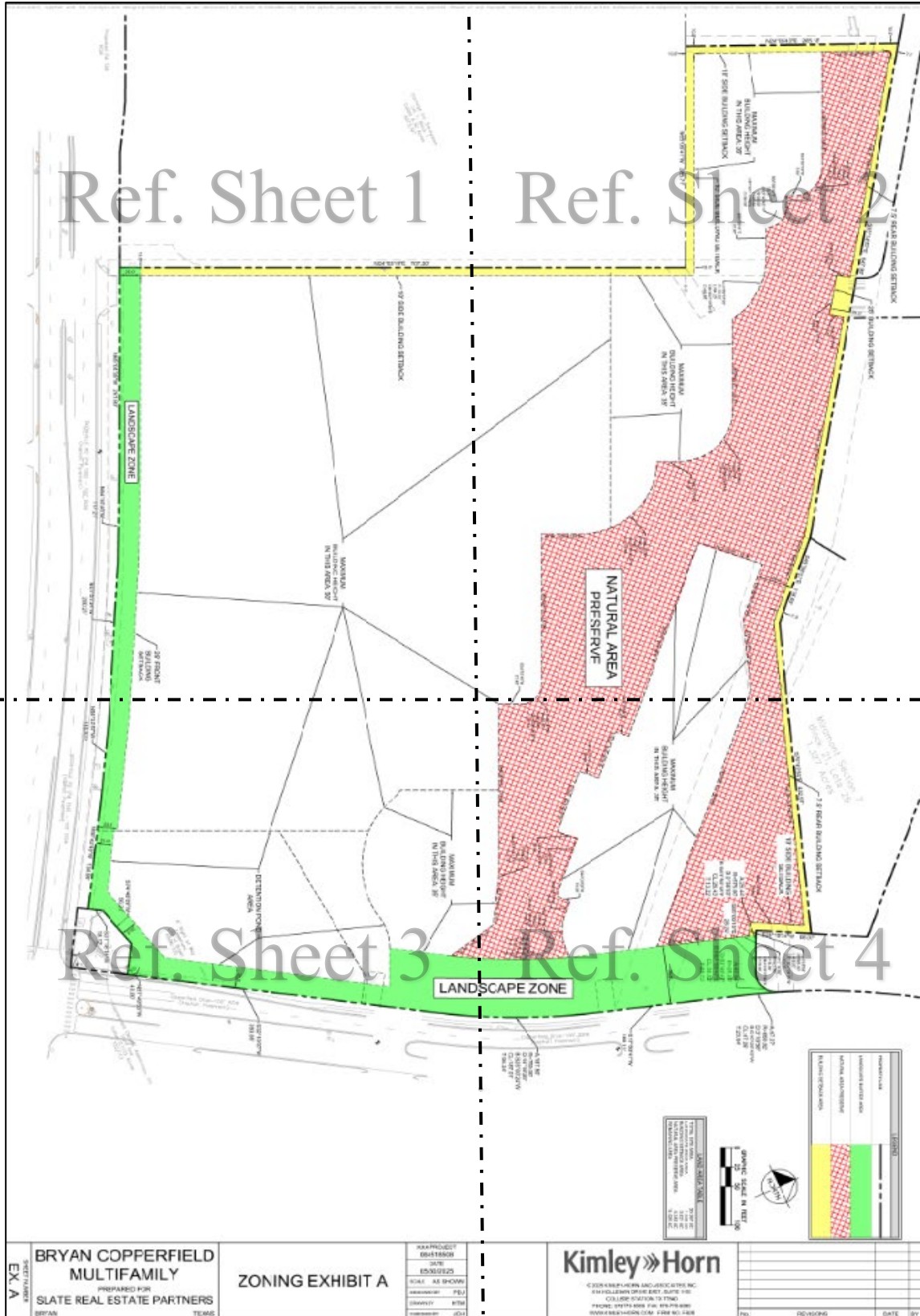
11. Detention Pond Area:

- a. The following items shall be allowed within the Detention Pond Area as depicted in “Exhibit A”:
 - i. Detention facilities and related structures;
 - ii. Site utilities required for the development;
 - iii. Sidewalks;
 - iv. Lighting;
 - v. Monument Signage;
 - vi. Landscaping; and
 - vii. Fencing.

SECTION 5: SUBDIVISION OF LAND

The subdivision of land in this PD-H District shall be in accordance with Chapter 110, Subdivisions, of the City of Bryan Code of Ordinances.

EXHIBIT "B-1":



Ref. Sheet 1

Ref. Sheet 2

Ref. Sheet 3

Ref. Sheet 4

**BRYAN COPPERFIELD
MULTIFAMILY**
PREPARED FOR
SLATE REAL ESTATE PARTNERS
BRYAN TEXAS

ZONING EXHIBIT A

PROJECT
DATE
SCALE
SHEET NO.
DATE

Kimley Horn

© 2014 KIMLEY HORN AND ASSOCIATES, INC.
2014 FOLLOWS BY THE BEST COPY OF THE
COLLUSION TO THE
FROM THE YEAR AND THE MULTIPLE
FROM THE YEAR AND THE MULTIPLE



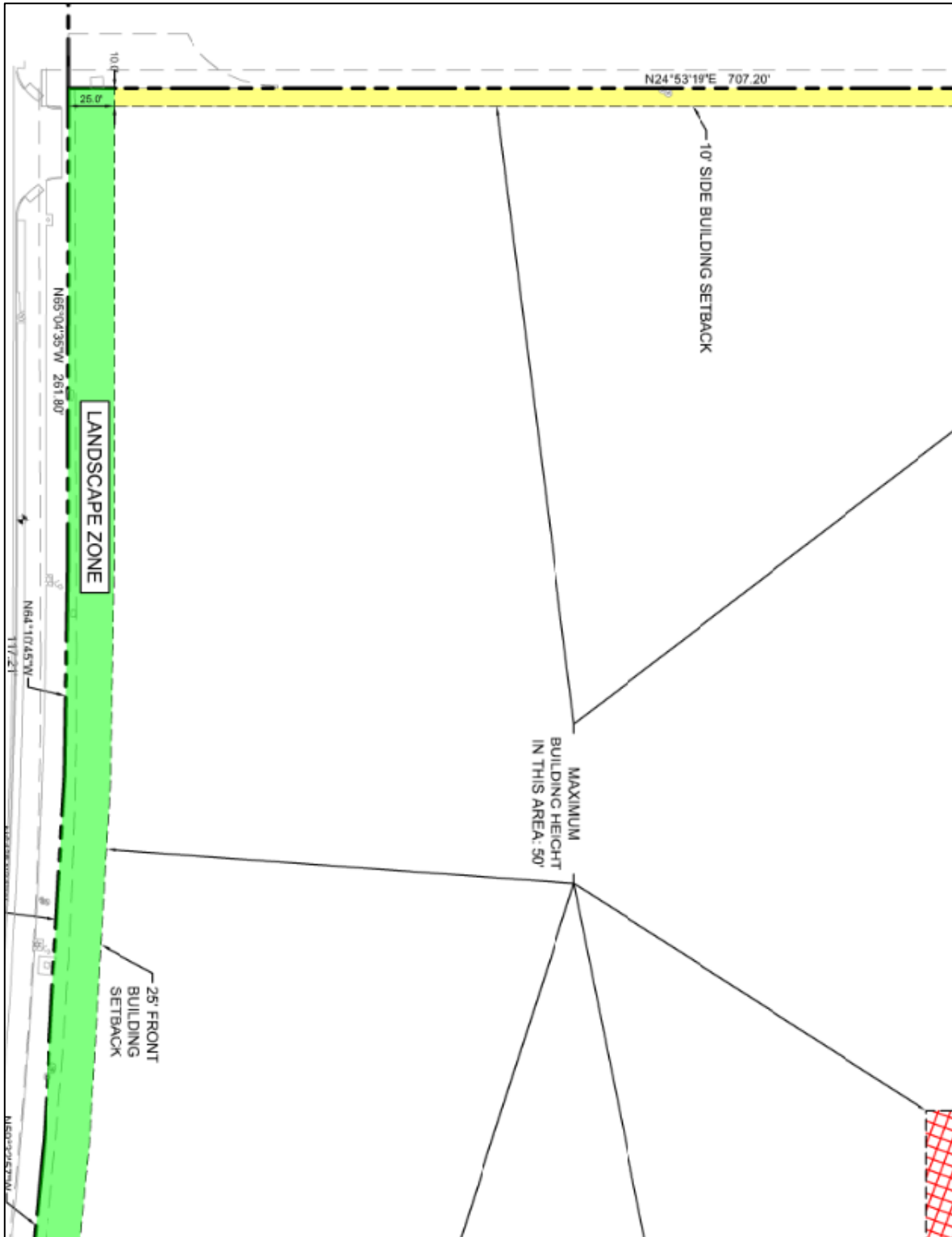
LANDSCAPE ZONE	(Green)
NATURAL AREA PRESERVE	(Red Cross-hatch)
ZONING EXHIBIT A	(Red Cross-hatch)



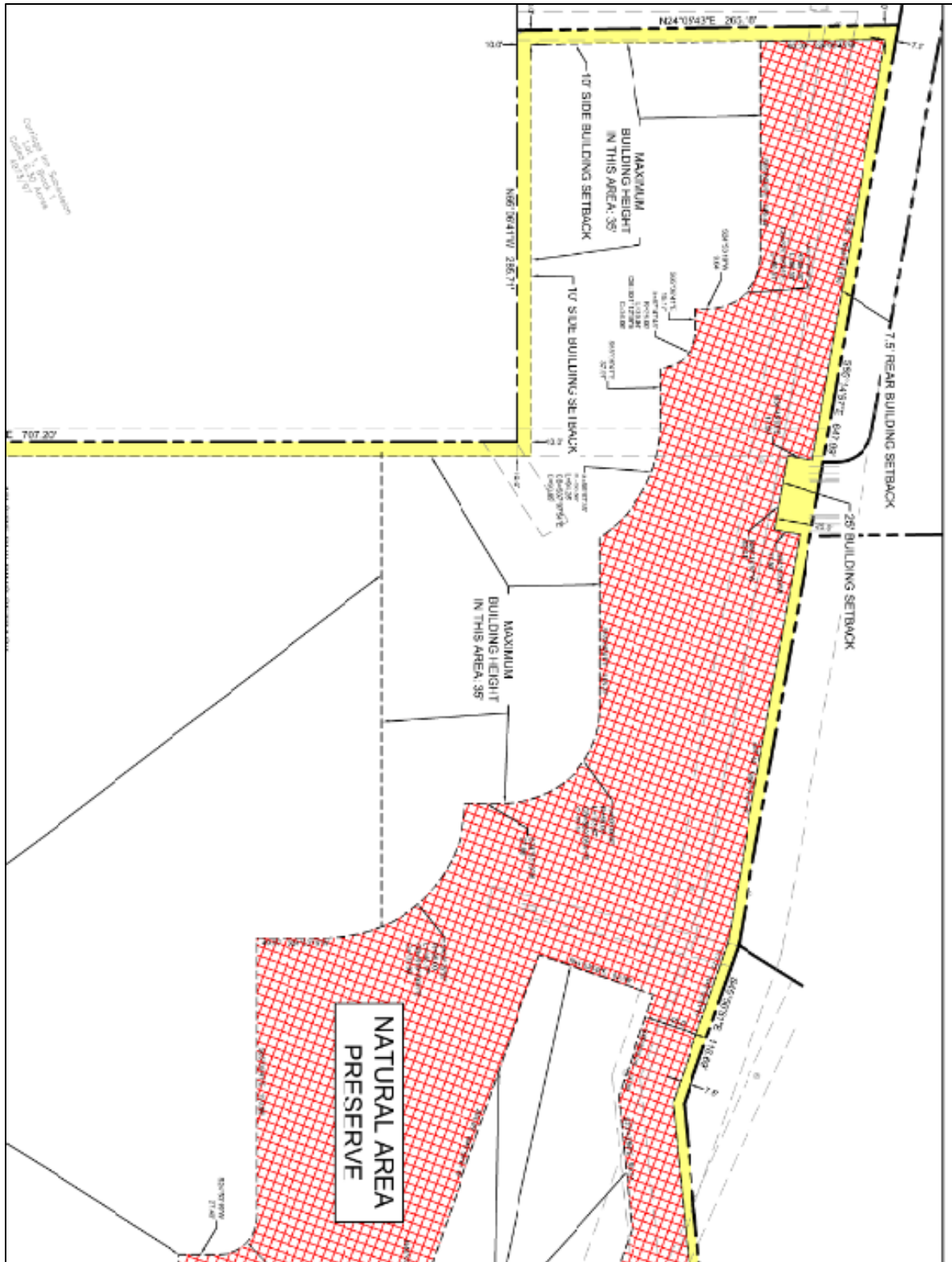
GRAPHIC SCALE IN FEET
0 25 50 100

NO.	DESCRIPTION	DATE	BY

REFERENCE SHEET 1:



REFERENCE SHEET 2:



**EXCERPT FROM PLANNING AND ZONING COMMISSION REGULAR MEETING MINUTES
OF JULY 17, 2025:**

3. Request for Approval of Zoning Changes – A Public Hearing will be held for each item (Commission makes recommendation; City Council has final approval).

a. Rezoning RZ25-03: 4251 Boonville Road

A request to change the zoning classification from Planned Development – Mixed Use District (PD-M) to Planned Development – Housing District (PD-H), on 20.398 acres of vacant land out of the J. W. Scott League, Abstract No. 49, located at the north corner of Boonville Road (FM 158) and Coppfield Drive in Bryan, Brazos County, Texas. (B. Johnson/K. Williams)

Ms. Williams presented the staff report (on file in the Development Services Department). Staff recommends approval of this request.

In response to a question, Ms. Williams confirmed that the current rezoning request is identical to the previous submission. The proposed Planned Development (PD) was reviewed by the Site Development Review Committee (SDRC), of which Bryan ISD is a member; no comments were received.

It was noted that Houston Elementary is not projected to reach capacity until 2032. The Traffic Impact Analysis (TIA) has been updated with only minor changes from the previous version and has been approved. Ms. Elizabeth Pedersen, Graduate Civil Engineer in the Traffic Operations Department, confirmed the TIA's approval and stated that other signals are planned to be added to Boonville Road and the traffic signal timing will be considered in the future.

The public hearing was opened.

Mr. Casey Oldham, on behalf of the property owner, provided background from the developer's perspective. He noted that the original Miramont master plan included both commercial and multifamily uses. Mr. Oldham explained the challenges of pursuing a purely commercial or retail development due to site constraints such as the creek and limited market demand for retail in the area. He also mentioned that a significant retail project is planned across from the Miramont Subdivision, further reducing the viability of additional retail on the subject property. Mr. Oldham stated that while townhomes are currently allowed by right under existing zoning, the proposed development offers a better land use alternative. He emphasized the developer's commitment to creating a high-quality project.

Mr. Mark Stevenson, Slate Real Estate Partners, provided an overview of the company and emphasized that their luxury apartment communities cater to a different demographic than typically associated with rental housing. He highlighted the project's design focus, noting that it will complement the surrounding neighborhood aesthetically.

Mr. Stevenson explained that townhomes, which are allowed by right, would likely attract four times as many children, whereas their proposed development is designed with adult-oriented amenities. He outlined several benefits of the proposal over by-right townhome development, including the construction of a new roadway, enhanced landscaping, greater building setbacks, and upgraded fencing and screening. He also stated that an agreement will be finalized with adjacent neighbors to ensure that negotiated commitments remain in place, even with future ownership changes.

Mr. Preston Jacks, Kimley-Horn, representing the applicant, outlined planned traffic improvements to enhance site access. These include the addition of turn lanes, dedicated left-turn-only lanes, and the extension of left-turn lanes along Boonville Road. He confirmed that the level of service at the Boonville Road and Copperfield Drive intersection will remain unchanged.

Mr. Ryan Yeager, Slate Real Estate Partners, addressed potential school impacts, noting that the proposed development would have a lower impact on nearby schools compared to the townhomes currently permitted by right under existing zoning.

In response to a question, Mr. Stevenson stated that site and construction plans are on hold pending City Council approval of the rezoning request. He noted the project is estimated to cost approximately \$67 million, with rental rates ranging from \$1,500 to \$2,900 per month. He emphasized that the development is designed to maintain long-term quality and avoid deterioration.

Mr. Greg Williams, 4789 Concordia Drive, Miramont Subdivision, shared that easement agreements, including provisions for monetary damages enforceable through civil action, have been drafted and signed. He expressed support for the development, stating that the developer has addressed neighborhood concerns related to the creek and fencing, and that the proposed project represents the best use of the property.

Ms. Monica and Mr. Richard Palasota, 5311 Draycott Court, Copperfield Subdivision; Mr. Jeff Hobbs, 5209 Bloomsbury Way, Copperfield Subdivision; Mr. Charles Durr, 4611 Locksford Drive, Copperfield Subdivision; Ms. Linda Baldwin, 6100 Bassett Court, Copperfield Subdivision; Mr. Gordan Wells, 4610 Park Haven Circle, Tiffany Park Subdivision; Mr. Justin Waggoner, 4520 Pembroke Lane, Copperfield Subdivision; Ms. Christine Cooper, 4417 Warwick Lane, Copperfield Subdivision; and Ms. Ginger Freeze, 5300 Bloomsbury Way, Copperfield Subdivision; came forward to speak in opposition to this request, citing the following concerns:

- Skepticism that the developer will honor commitments such as green space and long-term maintenance due to having a general distrust from past experiences with other developments (e.g., Oakmont).
- Perception that fear-based tactics are being used to justify the project.
- Increased traffic and congestion, especially near schools and intersections.
- Limited site access (only one entrance/exit) raises safety and circulation issues.
- Concerns about emergency vehicle access.
- Potential overcrowding of local schools and strain on their infrastructure.
- Concerns about increased crime from higher-density housing.
- Existing drainage and floodplain issues may worsen and the need for mitigation of downstream impacts.
- Proposed multifamily use seen as incompatible with existing single-family neighborhood and changes to the neighborhood's established character.
- Preference to maintain zoning that supports commercial or retail development.
- Belief that the area does not need more multifamily housing.
- Fear of negative impact on property values.
- Worries about the effect on nearby senior living communities.

Ms. Debra Grabein, 4728 Concordia Drive, Miramont Subdivision, spoke in support of the request, noting that Bryan is centrally located within the rapidly growing Texas Triangle. She emphasized the importance of planning for infrastructure, emergency services, and utilities to accommodate the

area's growth. Ms. Grabein also highlighted that higher-density housing would generate additional tax revenue to help fund these critical needs.

Mr. Stevenson clarified that the site is not zoned for retail, but currently allows townhomes and twin homes by right. He emphasized that the proposed multifamily development is both compatible with the area and meets a housing need. He also stated that neighboring property owners are unlikely to support a retail development.

Mr. Stevenson acknowledged that a formal third-party market study was not completed, but noted that their team conducted an internal market and benefit analysis. He stated that while there are some vacancies, the overall demand for housing in the area remains strong.

Mr. Yeager added that apartment occupancy rates in the area are approximately 90%, supporting the need for additional housing.

Mr. Preston Jacks confirmed there are no changes to site access points from the previous proposal. He clarified that certain entrances are restricted to left-turn-only access and that "Driveway 3" already exists but will not allow left-turn exits.

Mr. Oldham explained that other nearby vacant parcels within the general Miramont area are not designated for multifamily use and would not be suitable for the proposed development.

In response to a question, Ms. Williams clarified that the existing zoning ordinance, Ordinance No. 2104, does not allow for retail land uses.

The public hearing was closed.

The meeting was recessed at 7:36 p.m.

The meeting reconvened at 7:42 p.m.

Commissioner Cooper moved to recommend approval of rezoning case no. RZ25-03 and to adopt the written staff report and analysis as the report, findings and evaluation of this Commission.

Commissioner Rodriguez seconded the motion.

Commissioners acknowledged that the applicant has made significant efforts to address neighborhood concerns and expressed appreciation for the developer's responsiveness. Some noted that the proposal would be a positive addition to the city and could serve as a high-quality gateway to adjacent subdivisions.

However, it was also pointed out that the current proposal includes no major changes from the previous submittal. Commissioners discussed the broader need for both single-family and multifamily housing in the community. They also emphasized the importance of the site's inclusion in the original Miramont master plan for mixed uses, noting the lack of other suitable properties in the area for this type of development.

The motion passed with a vote of five (5) in favor to two (2) against. Commissioners McBroom Balke, Valerius, Cooper, Beckendorf, and Rodriguez were in affirmation, and Commissioners Owens and Watson were in opposition.

**PLANNING AND ZONING COMMISSION
STAFF REPORT**

July 17, 2025



Rezoning case no. RZ25-03: 4251 Boonville Road

CASE DESCRIPTION: a request to change the zoning classification from Planned Development – Mixed Use District (PD-M) to Planned Development – Housing District (PD-H)

LOCATION: 20.398 acres of land out of the J. W. Scott League, Abstract No. 49, located at the north corner of Boonville Road (FM 158) and Copperfield Drive

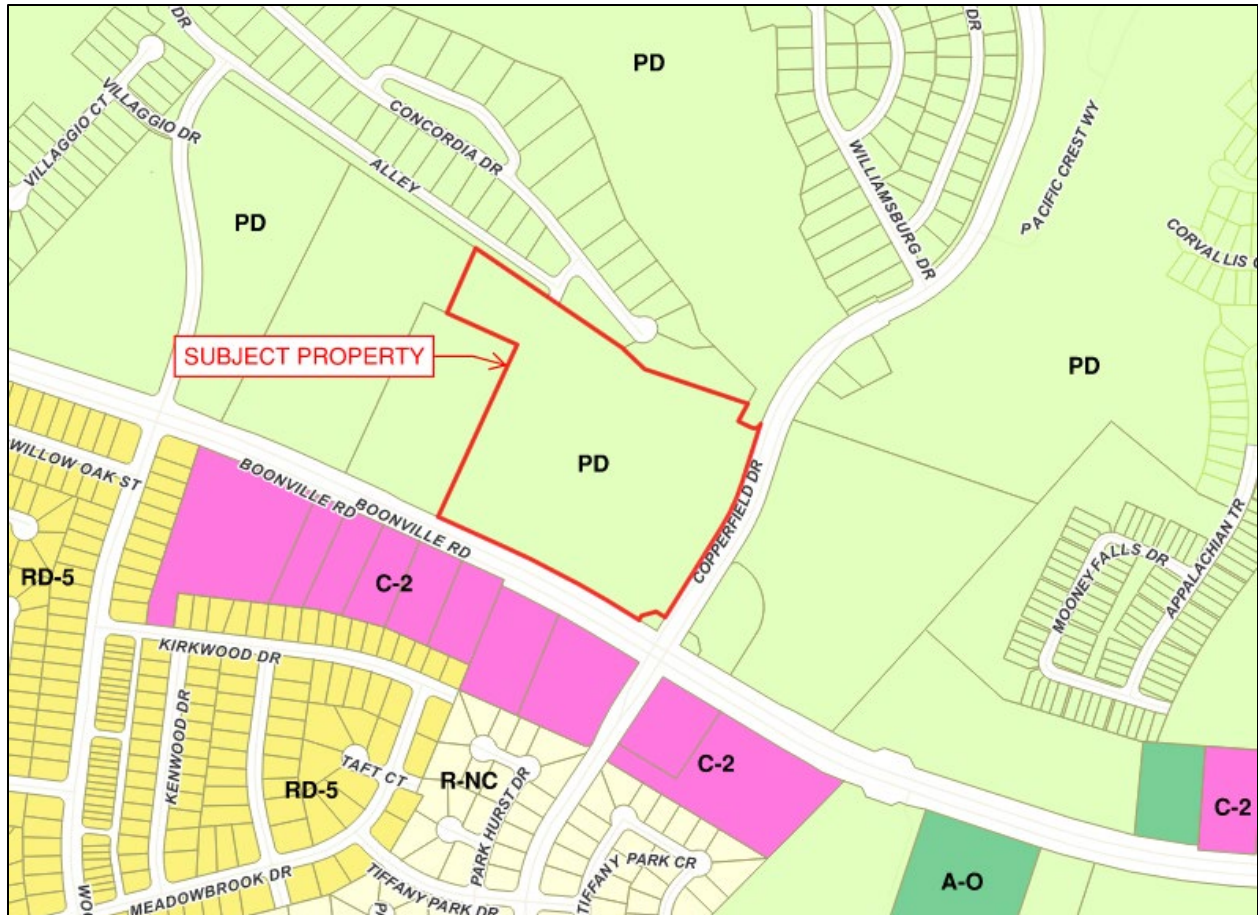
EXISTING LAND USE: vacant acreage

PROPERTY OWNER: Adam Development Properties, LP

APPLICANT: Kimley-Horn and Slate Real Estate Partners

STAFF CONTACT: Katie Williams, AICP, Senior Planner

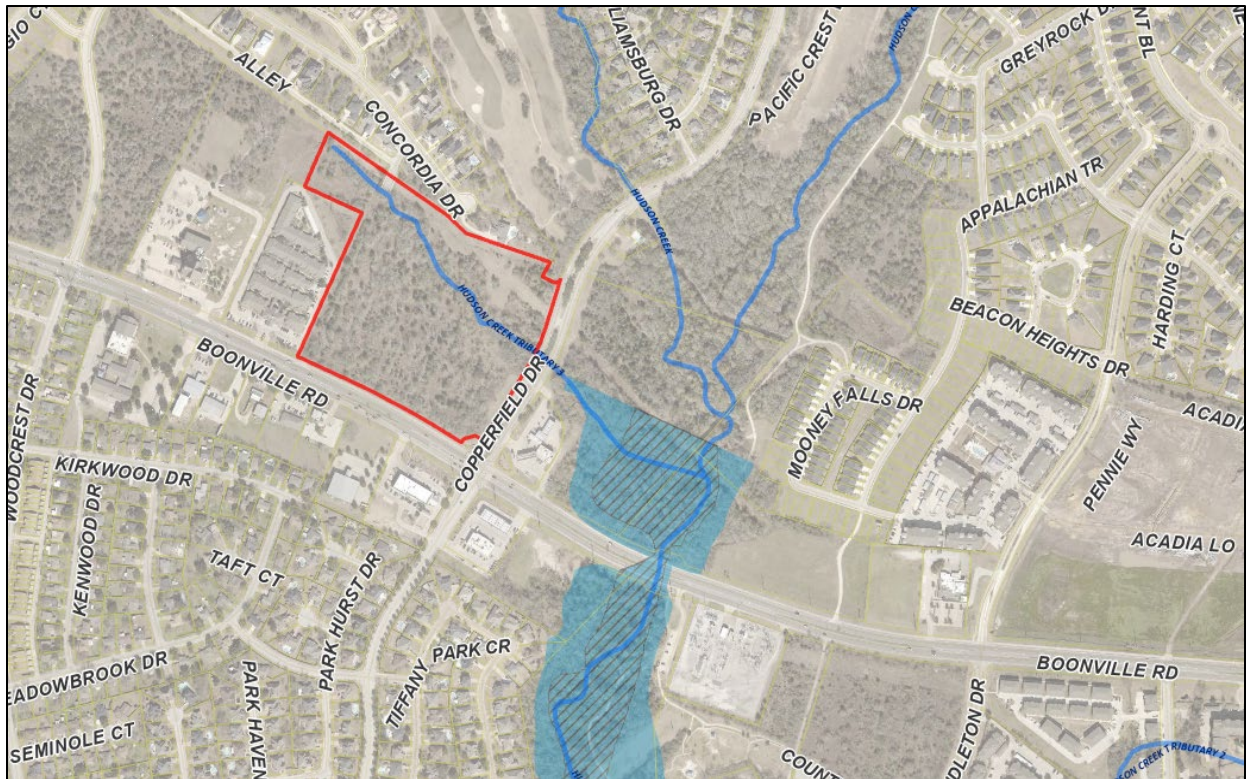
SUMMARY RECOMMENDATION: Staff recommends **approving** this rezoning request.



AERIAL VIEW (2025):



AERIAL VIEW (2025) WITH FEMA FLOODPLAIN & CREEKS:



BACKGROUND:

The applicants, Kimley-Horn and Slate Real Estate Partners, on behalf of property owner Adam Development Properties, LP, propose to amend the existing planned development district land uses and development standards of this 20.398-acre subject tract in order to construct new multifamily development.

The subject property is zoned Planned Development – Mixed Use District (PD-M), which was updated in 2015 and includes parts of the Miramont Subdivision as well as the 20+ acre subject property (rezoning case no. RZ15-08, Ord. No. 2104). The PD-M District zoning on the subject property allows the following land uses by right:

- Accessory dwelling unit;
- Accessory structure;
- Country club or golf course;
- Detached dwelling units with no more than four un-related persons;
- Essential municipal uses;
- Patio home (zero lot line dwelling);
- Temporary structures for uses incidental to construction work on the premises, which said buildings shall be removed upon the completion or abandonment of construction work;
- Townhouses; and
- Twinhomes.

Since the approval of the current PD District zoning on the subject property in 2015, there have been several rezoning requests regarding this acreage.

- Case no. RZ22-18: A request to amend the existing PD-M District zoning on about 18.5 acres of these 20.3 acres to include multi-family residential and townhome uses, and to reserve a 1.86-acre portion of this tract for retail use. Prior to scheduling the request for a Planning and Zoning Commission (P&Z) hearing, the request was amended by the applicants to request Multiple-Family (MF) District zoning. Staff recommended denying the requested MF District zoning and the case was withdrawn by the applicants prior to the P&Z meeting.
- Case no. RZ23-08: A request to rezone the subject property from PD-M District to PD-H District in order to utilize the entire property for a multi-family residential development. P&Z recommended denial of that proposal by a vote of five (5) to three (3) during its June 1, 2023 meeting. At the time, Commissioners remarked that the apartment building proposal did not meet the intent of the Future Land Use Plan and that a retail component may be a better use.
- Case no. RZ23-30: A request to amend the existing PD-M District, to allow multi-family and retail development. Prior to the P&Z hearing, the applicants withdrew the request to allow time to review and respond to citizen feedback.
- Case no. RZ24-09: A resubmittal of the previously-withdrawn case (no. RZ23-30). During the P&Z's public hearing on April 4, 2024, six (6) citizens spoke in favor of the request and nineteen (19) citizens spoke in opposition. Those in opposition expressed concerns about the perceived increase in density and traffic and the effect on the local elementary school.

Following the public hearing, the Commission voted to recommend approving the request by a vote of eight (8) in favor to one (1) in opposition. The Commission's positive recommendation in this case was made subject to the following modifications to the proposal:

1. Remove “Planning Area 2” which was intended to follow standards of Bryan’s Retail District (C-2);
2. Remove the proposed underground detention; and
3. Add an above-ground detention pond in the area where “Planning Area 2” was previously shown.

During the City Council’s public hearing on June 18, 2024, thirteen (13) citizens spoke in opposition to the request and six (6) citizens spoke in favor. Following the public hearing, City Council voted to deny the request by a vote of six (6) in favor to one (1) in opposition, citing concerns that the proposal did not comply with the Comprehensive Plan and that current traffic facilities were did not generally appear suitable or adequate for the proposed multi-family residential use. An excerpt from the Council’s June 18, 2024 second regular meeting minutes is attached to this staff report as Exhibit “C”.

The applicants, Slate Real Estate Partners, propose to amend the land uses and development standards currently allowed by the PD-M zoning on these 20+ acres located at the north corner of Boonville Road (FM 158) and Copperfield Drive. The purpose of this request is to provide development opportunities for a planned apartment development. The entire development plan is attached to this staff report as Exhibit “B”. **The current rezoning request is almost identical to the most-recent rezoning request considered by City Council in June 2024. (case no. RZ24-09).**

The proposed development regulations represent several departures from standard MF District site requirements, including:

1. **Specific outdoor lighting levels** intended to prevent any glare or light spilling onto adjacent residential subdivisions.
2. **Building material and design requirements.** Proposed residential and amenity buildings are proposed to have both expression of structural elements (i.e. columns), variations in wall planes, as well as changes in material, pattern, and color. Natural stone, brick, wood and decorative exposed concrete will be utilized as façade materials.
3. **Building height transitions.** Adjacent to the Miramont Subdivision building height is proposed to transition down from 50 feet to 35 feet.
4. **Natural area preserve** (4.34 acres) which serves as a buffer from adjacent residential districts.
5. All new required landscaping is proposed to be installed in **landscape zones** adjacent to Copperfield Drive and Boonville Road (FM 158).

The only primary land use proposed on the subject property with this request is apartment buildings. Adjacent properties located to the north, east, and west are also zoned PD-M District and are part of the Miramont Subdivision, including a portion of the Miramont Country Club Golf Course. Properties located to the south, southeast, and southwest are zoned Retail District (C-2).

A Planned Development (PD) District zoning classification provides the city with a way to ensure development with high-quality, innovative, and aesthetically pleasing designs and standards including, but not limited to, landscaping, tree preservation, building materials, building height, and signage. PD District zoning also typically allows for greater flexibility in development standards, typically not allowed in standard zoning districts.

In addition to the development regulations, City staff has reviewed FEMA flood study documentation and a Traffic Impact Analysis (TIA). The FEMA flood study that was submitted May 4, 2023 was reviewed for feasibility by the City’s engineering department prior to scheduling the zoning request for Planning and

Zoning Commission. The study is considered substantially complete, but will have minor comments to account for the site being altered from the original underground detention design. Per City engineering staff, details will be requested at the time of site plan review.

The TIA for this development was completed on June 25, 2025 and was revised at the request of City engineering staff on July 7, 2025. The analysis represents a review of the traffic impacts of the project, based on land use and site plan information, and identified the key traffic issues at specific intersections near the 20+ acre subject property. The study concluded that by the anticipated 2027 build-out year of the development, the following improvements should be made to ensure no loss of service to any of the studied intersections:

1. Add a northbound left-turn lane on Copperfield Drive at the location of proposed Driveway 1.
2. Per TxDOT's request, extend the existing left turn lane on Boonville Road (FM 158) and install a hooded left turn to prevent left turns out of the development across traffic on FM 158.

This amended TIA was approved by the City's engineering department on July 8, 2025. No off-site improvements to mitigate traffic-related concerns will be the responsibility of the developer under current City ordinances and policies. Instead, any such traffic system improvements will likely have to be funded as part of future Capital Improvement Plan projects, in cooperation with TxDOT.

Prior to the construction of any new development on the subject property, a preliminary plan, final plat and formal site plan submittal to the City's Site Development Review Committee (SDRC) will be required. During this review process, various City departments will review the development proposal to ensure that all applicable ordinances and regulations are met.

EXISTING SITE CONDITIONS:



View from south side of Boonville Road



View from east side of Copperfield Drive



View from southeast corner of intersection (Stripes parking lot)



View from Copperfield Subdivision pool driveway



View on Copperfield Drive looking northwest

EXCERPT FROM APPLICATION:

Explain whether the uses permitted by the proposed change will be appropriate in the immediate area concerned and their relationship to the general area and the city as a whole.

The uses permitted by the proposed change will be appropriate in this area as multifamily will serve as a transition between retail and single family housing. There are other multifamily developments in close proximity to this land.

Explain whether there is availability of water, wastewater, stormwater, and transportation facilities generally suitable and adequate for the proposed use.

Water, wastewater, stormwater, and transportation facilities to serve the proposed use are all readily available. Detention of the site's runoff will be required.

Identify the amount of vacant land currently classified for similar development in the vicinity and elsewhere in the city, and any special circumstances, which may make a substantial part of such vacant land unavailable for development.

There is only one tract of land in the vicinity classified for similar development, and extremely limited land in the rest of the city available for this type of development.

Explain the recent rate at which land is being developed in the same zoning classification as the request, particularly in the vicinity of the proposed change.

Many new multifamily developments have gone up in the vicinity recently, and are all doing very well. Land available in the current zoning is being developed extremely slowly.

Explain how other areas designated for similar development will be, or are unlikely to be, affected if the proposed amendment is approved, and whether such designation for other areas should be modified also.

No other areas designated for similar development will be affected by the proposed amendment.

Identify any other factors which will substantially affect the health, safety, morals, or general welfare.

None.

Describe how the proposed development conforms to applicable regulations and standards established by the city's Zoning Ordinance.

The proposed PD language has a base zoning of MF and imparts stricter requirements on the property than the base zoning. It was written in compliance with the regulations and standards and in conjunction with City planning staff.

Describe how the proposed development is compatible with existing or permitted uses on abutting sites, in terms of use, building height, bulk and scale, setbacks and open spaces, landscaping, drainage, or access and circulation features.

The site next door is a high-density senior living facility. Many other buildings up and down Boonville are of similar height. The setbacks and landscape space requirements of this PD will far outpace the surrounding developments.

Describe whether the proposed development potentially creates unfavorable effects or impacts on other existing or permitted uses on abutting sites that cannot be mitigated by the provisions of this proposed Planned Development District.

There are no unfavorable effects or impacts created on other existing or permitted uses on abutting sites.

Describe whether the proposed development adversely affects the safety and convenience of vehicular and pedestrian circulation in the vicinity, including traffic reasonably expected to be generated by the proposed use and other uses reasonably anticipated in the area considering existing zoning and land uses in the area.

A TIA has been completed previously (and is currently being updated with 2025 existing trip data) that shows that with the proposed mitigations, all vehicular circulation and facilities will operate at or above their current level of service.

Describe how the proposed development reasonably protects persons and property from erosion, flood or water damage, fire, noise, glare, and similar hazards or impacts.

Detention of the stormwater runoff of the site will be required. A flood study will be conducted on this site. Written in the PD are requirements that all lighting must face downward.

Describe whether the proposed development adversely affects traffic control or adjacent properties by inappropriate location, lighting, or types of signs.

No additional traffic control devices will be required and thus will not adversely affect the traffic systems or adjacent properties.

Describe whether is the proposed development will be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity.

The proposed development will not be detrimental to the public health, safety, or welfare, and will not be materially injurious to properties or improvements in the vicinity.

CONCEPT RENDERINGS OF DEVELOPMENT:

From Boonville Road (looking east)



From Miramont Subdivision Phase 7 alley (looking south towards the subject property)



From Concordia Drive in the Miramont Subdivision (looking southeast towards the subject property)



PROPOSED BUILDING ELEVATIONS:

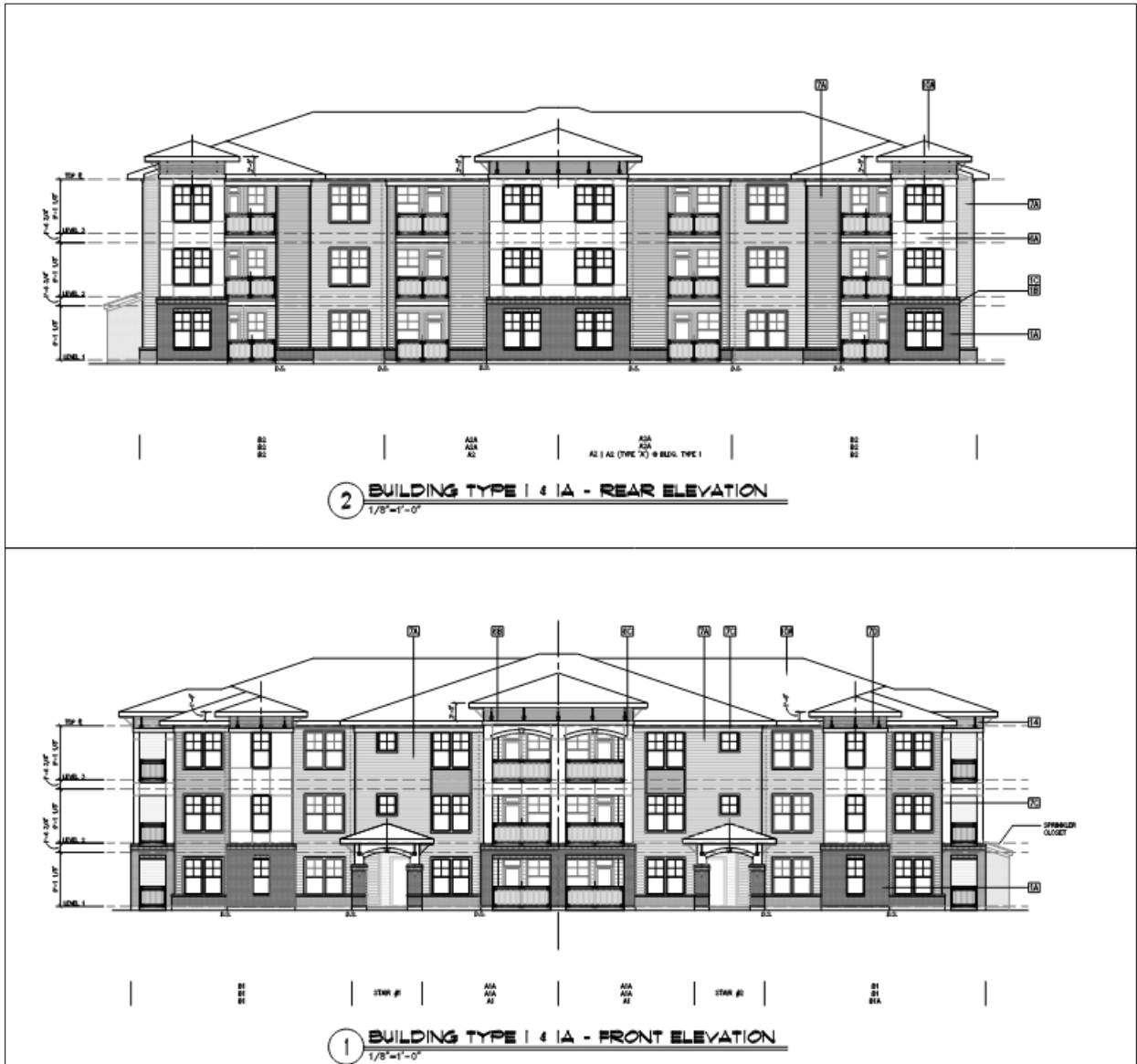
Two-story multi-family units



Two-story multi-family (townhome style) units



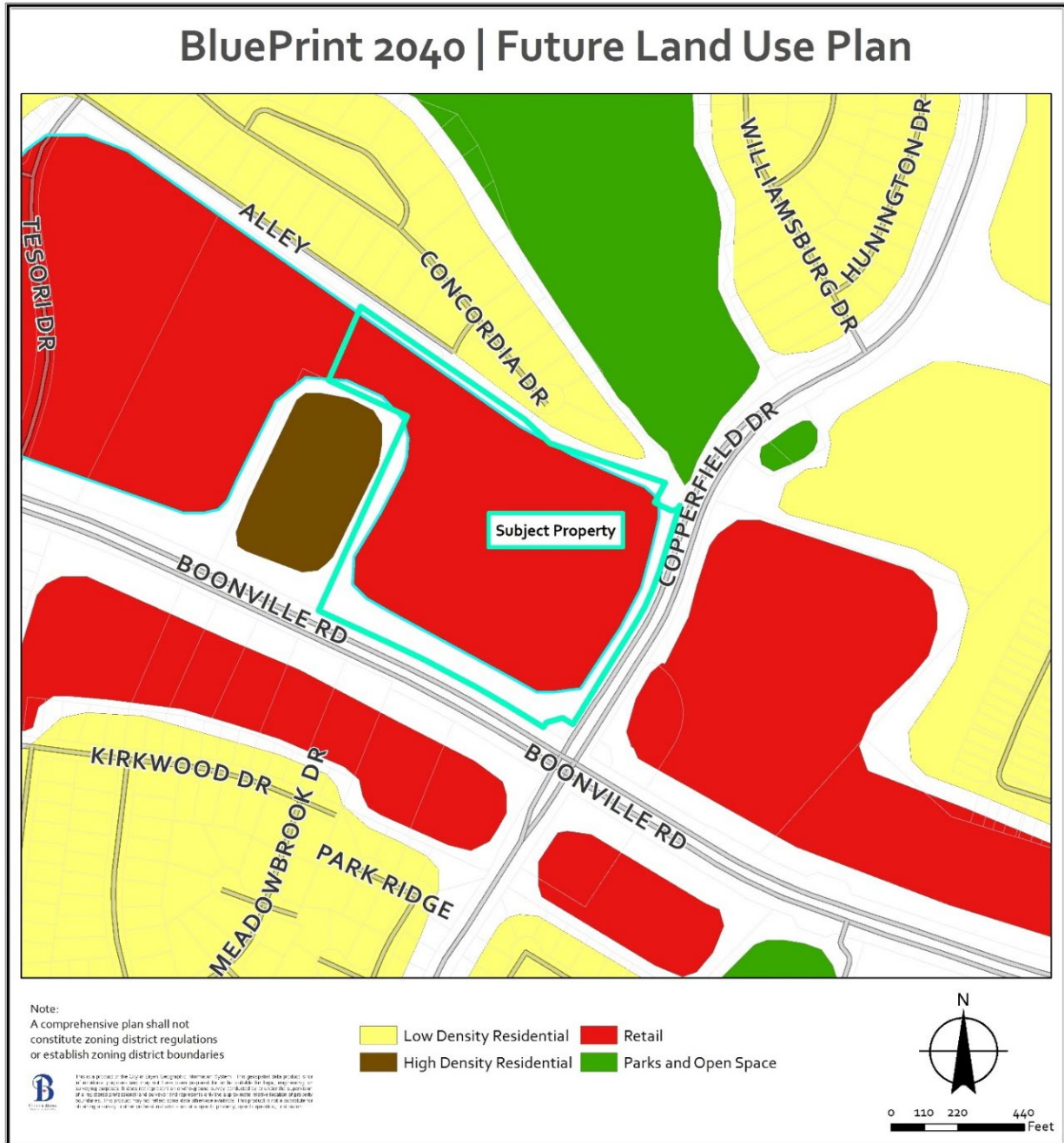
Three-story multi-family units



PICTURES OF MULTI-FAMILY PROJECT COMPLETED BY THE APPLICANTS:



EXCERPT FROM THE FUTURE LAND USE PLAN MAP:



RELATION TO BRYAN’S COMPREHENSIVE PLAN:

Bryan’s Comprehensive Plan, Blueprint 2040, includes policy recommendations related to various use-specific types of development. It states that it is a goal of the City to achieve a balanced and sustainable mix of land uses within the City of Bryan by planning for a mix of land use types in suitable locations, densities and patterns.

In the case of the subject property, the Future Land Use Plan designates the location as one appropriate for retail development. Retail uses require high visibility locations such as along arterial roadways. Generally, permitted uses include clothing stores, dry cleaners, restaurants, and banks. The following are policies to guide retail areas:

- Retail uses should be located at high points of visibility.
- They should serve as a buffer and transition between higher and lower intensity uses.

Alternatively, medium density residential is reflective of townhome, duplex, and patio home development and typically has densities ranging from eight to 12 dwelling units per acre, whereas high density residential is reflective of multifamily apartments. Depending on location, densities in high density residential areas may vary significantly. For example, garden style apartments have densities between 12 and 20 dwelling units per acre. Newer construction, particularly if a mixed-use configuration, has densities ranging from 20 to 30 dwelling units per acre.

Both medium and/or high-density residential land uses can serve as a transitional land uses between low density neighborhoods and much higher intensities, such as retail, commercial, and industrial activity. The following are Comprehensive Plan policies to help guide medium- and high-density residential areas:

Medium Density Residential:

- They should be protected from, but accessible to, the major roadway network, commercial establishments, and industrial areas.
- Subdivisions should be accessible to collector and arterial streets, but directly access only local streets.
- They should not be directly accessible to major arterials and freeways without adequate buffering and access management.

High Density Residential:

- They are appropriate along major collector or arterial roadways.
- They serve as a buffer between commercial or retail uses and low density residential areas.
- Maximum acreage per individual development should be 30 acres or less.

ANALYSIS:

In making its recommendation regarding a proposed zoning change, the Planning and Zoning Commission shall consider the following factors:

1. Whether the uses permitted by the proposed change will be appropriate in the immediate area concerned; relationship to general area and the City as a whole.

Staff believes that multi-family residential development on these 20+ acres with the specific development standards proposed with this PD-H District is appropriate at this location. The planned height transition, natural area preserve, and landscape zones provide a context-sensitive, carefully designed pattern of urban growth and development. Staff believes that the development standards found in this PD-H District will produce a high-quality, innovative, aesthetically pleasing development, which will positively contribute to this entry corridor into the city.

While BluePrint 2040 suggests that the subject property is suitable for retail uses, staff identifies

that high-density residential development also are suggested to be located on major collector or arterial streets and that medium- and high-density residential uses can be used as a transition to adjacent low-density residential areas. These policies are present in both BluePrint 2040 and also in the city's 2006 Comprehensive Plan.

In this specific case, staff believes that the policies stated above would support the multifamily development proposed on the subject property. As stated by the applicant in Supplement A above, while the entire 20+ acres of the subject property is recommended for retail land uses, the effect of that scale of development would be a significantly impacted transportation system.

Further, conservation of the existing tributary in a natural area preserve, reduction in height of the proposed structures from Boonville Road to the rear of the property, along with other screening methods, would work to serve as both a buffer area and transition between a high-density residential development and continued low-density residential development of Phase 7 of the Miramont Subdivision.

2. Whether the proposed change is in accord with any existing or proposed plans for providing public schools, streets, water supply, sanitary sewers, and other utilities to the area and shall note the findings.

Staff contends that Boonville Road (FM 158), classified as a major arterial roadway, and Copperfield Drive, classified as a major collector street on Bryan's Thoroughfare Plan, are both capable of accommodating vehicular traffic loads typically associated with multi-family residential development. The TIA for this development was accepted by the city's Engineering Department, and the suggested mitigations concluded by this TIA can be found in the background section of this report above.

Staff observes that three of the four corners of the intersection of Copperfield Drive and Boonville Road are currently occupied by retail establishments. With the addition of the proposed PD-H District zoning, an increase in pedestrian traffic at this intersection is highly likely and can be accommodated with existing pedestrian signaling.

The subject property is already adequately served by an 18-inch public water line located along the north side of FM 158 and a 10-inch public water line located along the west side of Copperfield Drive. These 20+ acres are also served by a 12-inch public sanitary sewer line located along the northern portion of the property. As stated by the applicants, a service line will be extended from the northern public sewer line through a narrow portion of the natural area preserve to serve the development on the southern side of the creek. Accommodations are made in the PD-H District regulations stating that any trees removed for the installation of utilities will be replaced at a ratio of two to one (2:1) caliper-inches, which will be detailed on the forthcoming landscape plan required during the site planning process.

3. The amount of vacant land currently classified for similar development in the vicinity and elsewhere in the City, and any special circumstances, which may make a substantial part of such vacant land unavailable for development.

Staff contends that if the requested change in zoning classification were approved, it would not make similarly-zoned properties in the City unavailable for development. Residential zoning districts, including Multiple-family Districts (MF), are specific and limited in regards to the uses that are permitted by right. Rezoning requests for these districts usually only occur in response to a specific development plan. At present, there are relatively few vacant tracts zoned for multifamily residential development in Bryan. Within a one-mile radius of the subject property,

there are approximately 20 acres of land zoned MF District. Those 20 acres are developed with the Hudson Trail and Park Hudson Place apartment complexes. Other apartments within the one-mile radius are also zoned Planned Development Districts.

4. The recent rate at which land is being developed in the same zoning classification as the request, particularly in the vicinity of the proposed change.

Staff contends that multi-family residential growth are presently occurring at a moderate pace in the City and in this general vicinity. Within a one-mile radius of the subject property, one multi-family residential development has been constructed within the past five years.

5. How other areas designated for similar development will be, or are unlikely to be affected if the proposed amendment is approved, and whether such designation for other areas should be modified also.

If the proposed PD-H District were approved, staff believes there to be no need to modify the zoning designation for other areas designated for similar developments.

6. Any other factors affecting health, safety, morals, or general welfare.

Staff is unable to discern factors related to this request that will adversely affect health, safety, morals, or general welfare. Staff contends that this PD-H District will allow for a useful and orderly urban growth and development of this property.

In addition, the Planning and Zoning Commission shall not approve a planned development if it finds that the proposed planned development does not conform to applicable regulations and standards established by Section 130-31 of the Zoning Ordinance:

1. Is not compatible with existing or permitted uses on abutting sites, in terms of use, building height, bulk and scale, setbacks and open spaces, landscaping, drainage, or access and circulation features, within the standards established by this section.

Staff believes that the proposed PD-H District regulating development of the subject property will be compatible with existing and anticipated uses surrounding this property due to the integrated natural area preserve, as well as proposed building height transition, landscape zone, and screening standards, which are designed to mitigate against any potential impacts when land uses of different intensities are adjacent to one another. In the case of the proposed natural area preserve, staff contends that it will serve as an effective buffer. In terms of distance, the proposed depth exceeds any standard buffer required in similar situations by 20 to 70 feet. Staff further contends that preservation of the natural vegetative area in this particular proposal is superior to standard required buffer areas that require no landscape plantings.

2. Potentially creates unfavorable effects or impacts on other existing or permitted uses on abutting sites that cannot be mitigated by the provisions of this section.

Staff is unable to identify any potentially adverse effects or impacts on other existing or permitted uses on abutting sites that are not accounted for or mitigated by the development standards found within this PD-H District.

3. Adversely affects the safety and convenience of vehicular and pedestrian circulation in the vicinity, including traffic reasonably expected to be generated by the proposed use and other uses reasonably anticipated in the area considering existing zoning and land uses in the area.

Staff contends that future development regulated by the proposed standards of this PD-H District will not adversely affect the safety and convenience of vehicular and pedestrian circulation in the general vicinity. While new development at this location will increase the flow of traffic, it is important to note that the subject property is located along a major arterial roadway, FM 158, and a major collector roadway, Copperfield Drive, both of which are capable of accommodating increased traffic volumes.

4. Adversely affects traffic control or adjacent properties by inappropriate location, lighting, or types of signs.

Staff believes that future development regulated by the standards of this proposed PD-H District will not cause adverse effects to traffic control to adjacent properties or have inappropriate lighting or signs. Staff contends that the proposed PD-H District provides specific lighting standards directing lighting away from adjacent properties, limiting the levels of outdoor lighting, and the heights of outdoor lights. Signage standards for this PD-H District will follow those of typical multifamily development.

5. Fails to reasonably protect persons and property from erosion, flood or water damage, fire, noise, glare, and similar hazards or impacts.

As stated previously, it is of critical importance that development of the site take into consideration the adjacent creek area and provide stormwater handling features accordingly. The proposed development regulations require observation of a natural preserve which surrounds the creek and surrounding flood-prone areas of the subject property. In addition, preliminary drainage plans propose stormwater runoff be detained in a detention pond at the corner of the property immediately adjacent to the Copperfield Drive and Boonville Road intersection. During the site plan review process, City engineering staff will analyze the proposed development to ensure that any increase in impervious cover is accounted for.

Based on the required compliance with the proposed development regulations, including the natural area preserve area, staff contends that future development on the subject property will reasonably protect persons and property from erosion, flood or water damage, fire, noise, glare, and similar hazards or impacts, in conformance with applicable city ordinances.

6. Will be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity, for reasons specifically articulated by the commission.

Other than the aforementioned items of concern, staff believes that the standards for a mixed-use development at this location will neither adversely affect health, safety, morals, or general welfare, nor be materially injurious to properties or improvements in the vicinity.

RECOMMENDATION:

Staff recommends **approving** this request to change the zoning classification to PD-H District, as requested.

- This PD-H District provides for height transitions, natural area preservation, and landscape zones, which provide a context sensitive and carefully designed pattern of urban growth and development.

- While BluePrint 2040 suggests that the subject property is within an area suitable for retail uses, staff identifies that retail and high-density residential development also are suggested to be located on major collector or arterial street and that medium and high density residential should be used as a transition to adjacent low density residential areas.
- Both the extension of the FEMA floodplain study and the TIA were reviewed and accepted by the City of Bryan.

ATTACHMENTS:

Exhibit A: Planned Development – Housing District (PD-H) Zoning Map

Exhibit B: Planned Development – Housing District (PD-H) Regulations

Exhibit C: Excerpt from the Council’s June 18, 2024 second regular meeting minutes