

## Agenda Item Details

Meeting	Sep 12, 2023 - Bryan City Council Second Regular Meeting
Category	5. 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	A. Rezoning Request Case No. RZ23-17 - 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 0.31 acres of land located at the north corner of East 25th Street and North Haswell Drive, being Lot 5 in Block 16 of the Travis Park Subdivision Extension, in Bryan, Brazos County, Texas
Type	Action
Preferred Date	Sep 12, 2023
Absolute Date	Sep 12, 2023
Fiscal Impact	No
Budgeted	No
Goals	<a href="#">Economic Development</a> <a href="#">Quality of Life</a>

### SUMMARY:

The applicant, Kevin Kuklis of Titan Premier Investments, is requesting to change the zoning classification from Residential District 5000 (RD-5) to Planned Development District Housing (PD-H) on 0.32 acres of land located at the north corner of East 25th Street and North Haswell Drive, being Lots 9-10 in Block 4 of the Travis Park Subdivision Extension.

This proposed rezoning will allow the construction of four townhomes that will face North Haswell Drive, and allow the use of an existing structure that faces East 25th Street as a patio home. Currently, two buildings are on the property. One structure is a detached dwelling in dilapidated condition. The other is a structure that has been adaptively reused from an old corner store to a detached dwelling.

A development plan has been submitted that addresses existing site constraints in a manner the applicant contends will allow the property to be utilized as proposed while remaining true to the guiding values of the zoning ordinance and sound planning principles, while attempting to preserve the neighborhood integrity of the surrounding area.

The development plan depicts the division of this property into five (5) individual lots for four (4) proposed townhomes and one (1) patio home. If the request is approved, then a replat of the property will be required before building permits can be issued.

### ANALYSIS AND RECOMMENDATION:

The Planning and Zoning Commission considered the applicant's request during its regular meeting on August 3, 2023. During the public hearing, one (1) resident spoke in opposition to the request, primarily concerning the increase in density and noted neighborhood integrity. Following the public hearing, the Commission, by a vote of eight (8) in favor and one (1) in opposition, voted to **recommend denial** of the request, citing perceived detrimental impacts on traffic in the area, the impact on the integrity of the neighborhood, the high density of the design, and the infrastructure surrounding the subject property.

On August 10, 2023, City staff received written notice from Mr. Kuklis, requesting the request be forwarded to City Council with a negative recommendation from the Planning and Zoning Commission. As provided by Zoning Ordinance Section 130-42(i), if the Commission recommends denial of a rezoning request, the request is not forwarded for City Council consideration, unless the applicant so requests or the request is sent for review by the Commission by simple majority vote.

**Please note:** The draft ordinance attached to this Council Action Form is provided if the City Council is inclined to approve the applicants request to change the zoning on this property to PD-H District. To approve the request, City Council must make supportive findings to the criteria listed in Zoning Ordinance Section 130-42(g)(1) through (6), listed below:

1. 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.
2. Whether there is availability of water, wastewater, storm water, and transportation facilities generally suitable and adequate for the proposed use.

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.
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.
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.
6. Any other factors which will substantially affect the health, safety, morals, or general welfare.

**OPTIONS:**

1. deny the requested zoning change as recommended by P&Z;
2. approve the zoning change, as requested; or
3. approve the requested zoning change with modifications, which may require rescheduling the request for consideration on a future City Council meeting agenda.

**ATTACHMENTS:**

1. location map and aerial photographs;
2. draft ordinance with exhibits;
3. excerpt from August 3, 2023 Planning and Zoning Commission meeting minutes; and
4. staff report to the Planning and Zoning Commission.

[RZ23-17, 1114 E 25th.pdf \(2,530 KB\)](#)