

## Agenda Item Details

Meeting	Sep 10, 2024 - 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. RZ24-101, 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 Office District (C-1), on 0.37 acres of land adjoining the northwest side of Edgemore Drive between South Texas Avenue and Edgewood Drive, being Lot 45 of Garden Acres Addition, in Bryan, Brazos County, Texas.
Type	Action
Preferred Date	Sep 10, 2024
Absolute Date	Sep 10, 2024
Fiscal Impact	No
Budgeted	No
Goals	<a href="#">Quality of Life</a> <a href="#">Economic Development</a>

### Summary:

The applicant and property owner, Brian Spence of Texas Edge, LLC, is requesting to change the zoning classification on 0.37 acres of land from Residential District – 5000 (RD-5) to Office District (C-1). The subject property is zoned RD-5 District and was, until recently, occupied by a detached dwelling. Surrounding properties to the northeast also are zoned RD-5 District and improved with detached dwellings. Nearby properties with frontage along South Texas Avenue are zoned Retail District (C-2) and are improved with office and some retail land uses. Across South Texas Avenue, to the southwest of the subject property, lots are zoned Residential – Neighborhood Conservation District (R-NC) and occupied by detached dwellings.

The C-1 zoning classification is intended to provide development opportunities for various types of general office or business and service uses. Offices and professional uses are permitted by right in the C-1 zoning district, while a few neighborhood retail uses, such as restaurants and retail establishments, are allowed with approval of a Conditional Use Permit from the Planning and Zoning Commission.

In this particular case, the applicant proposes redevelopment of the subject property to provide additional off-street parking to the Edgemore Center, the professional offices on the neighboring lot to the southwest, which he also owns. Mr. Spence expressed a need for additional off-street parking to offset the loss of off-street parking experienced after the right-of-way expansion of Texas Avenue by the Texas Department of Transportation (TxDOT).

### Analysis and Recommendation:

During its regular meeting on August 1, 2024, the Planning and Zoning Commission concurred with staff and **unanimously recommends approval** of this rezoning request. The Commission adopted the written staff report and analysis as the report, findings, and evaluation of the Commission.

- The Commission finds that the proposed rezoning is compatible with the existing and anticipated uses surrounding this property and is in accordance with the land use recommendations of the Comprehensive Plan (BluePrint 2040).
- The Commission believes the subject property, located adjacent to a major arterial road (South Texas Avenue), is an appropriate location for office development. The proposed rezoning can leverage the site's visibility along this heavily traveled roadway and with appropriate buffers and screening applied, serve as a transition to the adjacent low-density residential area.

- The subject property has adequate access to water lines to provide potable water and fire protection and has adequate access to a sewer line to provide services to the existing business.
- The Commission contends 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 contends amending the zoning of the subject property, as requested, will not have a negative impact on traffic generated and the development density of the area. The subject property exceeds the minimum lot size, lot width, and lot depth requirements for the C-1 zoning district. Additionally, C-1, if approved, can function as a zoning buffer between the adjacent C-2 and RD-5 Districts by limiting the type of non-residential land uses permitted adjacent to existing residential properties.

**Options:**

1. approve the requested zoning change as recommended by P&Z and staff;
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; or
4. deny the requested zoning change with prejudice, as provided for in Zoning Ordinance Section 130-42(i)(2):  
"If a request has been denied with prejudice, the same or similar request may not be resubmitted to the city for six (6) months from the original date of denial."

**Attachments:**

1. location map and aerial photographs;
2. draft ordinance with exhibit;
3. excerpt from August 1, 2024 Planning and Zoning Commission meeting minutes; and
4. staff report to the Planning and Zoning Commission.

[CAF ATTACHMENTS RZ24-101, 702 Edgemore \(RD-5 to C-1\) \(7\).pdf \(4,357 KB\)](#)