

Agenda Item Details

Meeting	Apr 14, 2026 - 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	D. Rezoning request case no. RZ26-02, 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 Mixed Use District (MU-2) to Retail District (C-2) on 0.312 acres of land at the north corner of Cavitt Avenue and Oak Street, being part of Lot 12 in Block 4 of the Mitchell-Lawrence-Cavitt Subdivision, and currently addressed as 400 Oak Street, in Bryan, Brazos County, Texas.
Type	Action
Preferred Date	Apr 14, 2026
Absolute Date	Apr 14, 2026
Fiscal Impact	No
Budgeted	No
Goals	Quality of Life Economic Development

Summary:

The applicant, Alaina Szlachta of Imagine Advertising Studio, on behalf of the property owner, Marcos Tello, is requesting to change the zoning classification on 0.312 acres of land from Mixed Use District (MU-2) to Retail District (C-2). The subject property, which is a portion of Lot 12 in Block 4 of the Mitchell-Lawrence-Cavitt Subdivision, adjoins the northeast side of Cavitt Avenue and the northwest side of Oak Street, and is currently addressed as 400 Oak Street.

Several properties in the vicinity, including those adjacent to the subject property, are zoned MU-2 District. Development in the vicinity includes detached residential dwellings, retail and commercial uses, and places of worship. Properties to the northeast, toward Texas Avenue, are zoned C-2 District and Commercial District (C-3), while properties to the southwest, toward South College Avenue, are zoned Midtown – Corridor District (MT-C).

Currently, the subject property is developed with a structure constructed circa 1945 and originally intended for residential use. In 1987, a site plan was approved to convert the structure for use as a child-care facility. The existing parking areas were established as part of that approval and constructed at that time. Since then, the structure has been used as a child-care facility and for general office use.

On January 28, 2026, staff received an inquiry from the applicant regarding the current zoning of the property and whether an assisted living facility would be permitted at this location. Per Sec. 130-20 of the Bryan Code of Ordinances, assisted living facilities are not permitted in the MU-2 District. Staff advised rezoning is required to allow the proposed use.

If this rezoning request is approved, the applicant will be required to submit a Change of Owner/Use/Tenant application. Inspections of the existing structure will occur prior to the issuance of a Certificate of Occupancy (CO).

Analysis and Recommendation:

During its regular meeting on March 5, 2026, 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.

In making their decision, the Planning and Zoning Commission found:

- The requested C-2 District zoning is consistent with the adopted goals and land use policies outlined in BluePrint 2040, and aligns with recent development patterns in the area.
- The permitted land uses in the proposed C-2 District zoning create an appropriate transition between adjacent lower and higher-intensity land uses.
- The request will not adversely affect the safety and convenience of vehicular and pedestrian circulation in the vicinity.

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;
3. deny the requested zoning change; or
4. deny the requested zoning amendment 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 months from the original date of denial."

Attachments:

1. location map and aerial photographs;
2. draft ordinance with exhibits;
3. excerpt from March 5, 2026, Planning and Zoning Commission meeting minutes; and
4. staff report to the Planning and Zoning Commission.

[CAF ATTACHMENTS RZ26-02, 400 Oak Street.pdf \(2,886 KB\)](#)