

**PLANNING AND ZONING COMMISSION
STAFF REPORT**

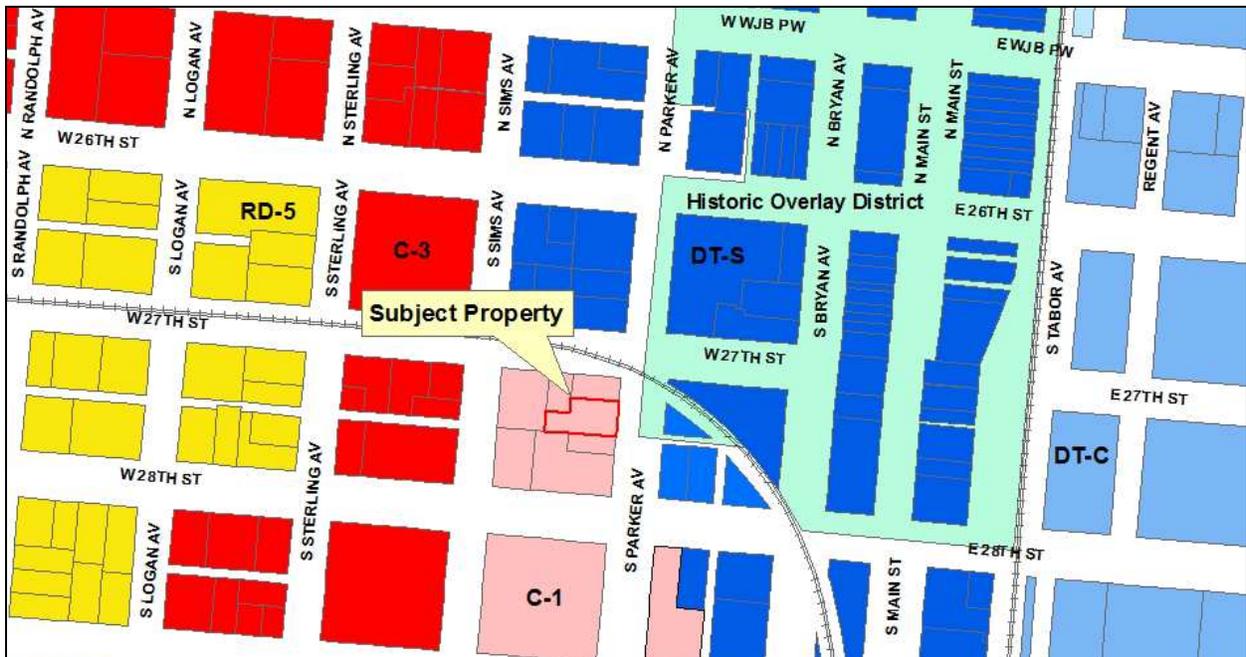
May 7, 2015



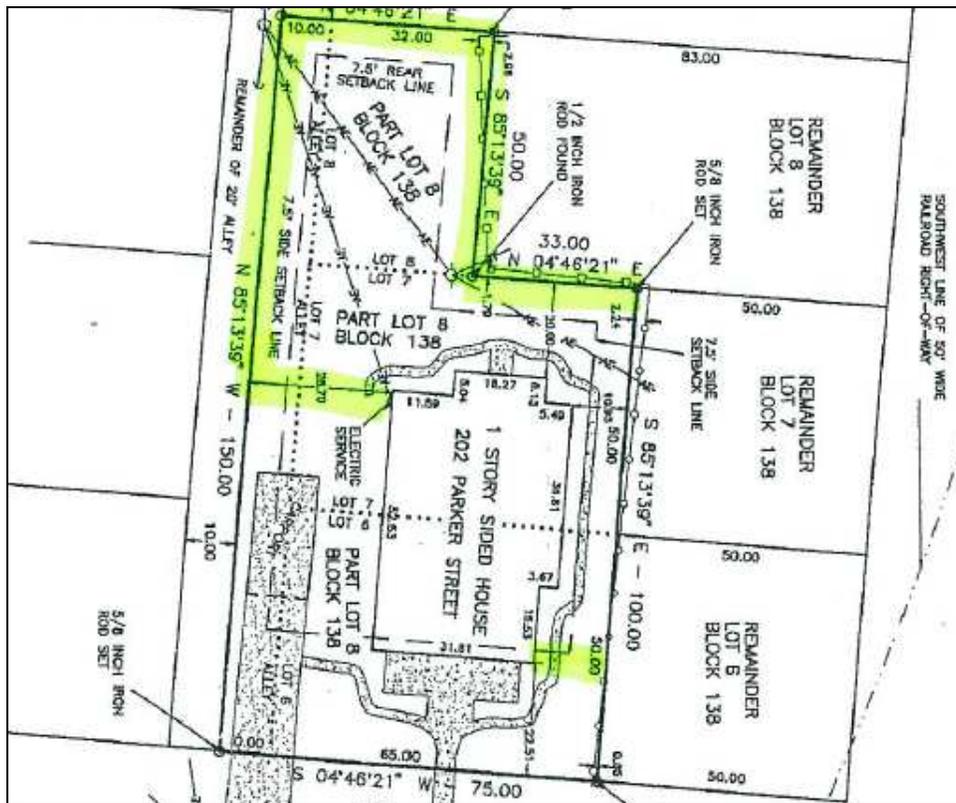
Conditional Use Permit case no. CU15-04: David Riddle

- CASE DESCRIPTION:** request for approval of a Conditional Use Permit, to allow continued use of a property as a single-family residence in an Office District (C-1)
- LOCATION:** 202 South Parker Avenue between West 27th Street and West 28th Street
- LEGAL DESCRIPTION:** parts of Lots 6-8 and an abandoned alley right-of-way in Block 138 of the Bryan Original Townsite
- EXISTING LAND USE:** single-family home
- APPLICANT(S):** David Riddle
- STAFF CONTACT:** Randy Haynes, Senior Planner
- SUMMARY RECOMMENDATION:** Staff recommends **approval** of this request.





SITE PLAN:



SUBJECT PROPERTY, 202 SOUTH PARKER AVENUE



BACKGROUND:

The subject property is located in an area zoned Office District (C-1). There is an existing one-story, 1900-square foot, three bedroom residence on the site. Because of this zoning status, replacement of the existing single-family residence would not be permitted if more than 60% of the structure were destroyed for any reason.

The applicant is requesting approval of a Conditional Use Permit to ensure the right to continue single-family residential use on this subject property. If approved, the residence could be repaired or restored if damaged or destroyed for any reason in the future.

ANALYSIS:

Approval of a Conditional Use Permit by the Planning and Zoning Commission shall be based upon the following criteria.

1. Whether the proposed conditional use conforms to applicable regulations and standards established by the Zoning Ordinance.

If approved, the residential use will conform to all applicable regulations and standards established by the Zoning Ordinance. No variations from existing development standards are being requested.

2. Whether the proposed conditional use 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.

Directly across from Temple Freda, a Jewish Synagogue built in 1912, is the subject property; a 1900 square foot, three bedroom residence built in 1925 for William F. Gelber. William's father, Joseph, was a founding trustee of Congregation Temple Freda. His name appears on the building's 1912 cornerstone. Joseph Gelber was born in Austria and immigrated to the United States in 1890 arriving in Bryan in 1896. The Gelber family was prominent in the dry goods and grocery business. 150 feet north of the subject property is 108 South Parker Avenue. Built in 1917, it is the former residence of the Groginsky family. Joseph Groginsky operated a liquor store and saloon on Main Street and was a leader of the Temple Freda Congregation. Groginsky's name also appears on the synagogue's corner stone.

Adjacent and south the subject property, is the building formerly housing "Shorty" Halbrooks Cleaners. The building is one of the few un-altered examples of art moderne design remaining in Bryan. Beyond the cleaners building is the 1929 Henry T. Schovajsa Paint and Body Shop. Across Parker Avenue facing West 28th Street are the 1907 English-Poindexter and English-Dansby houses. Both are very intact examples of late-Victorian L-Plan residential architecture. Both English houses and Temple Freda are listed on the National Register of Historic Places. Temple Freda is protected as a City of Bryan Historic Landmark. For over 100 years the immediate vicinity of the subject property has been home to a mix of uses; residential, commercial and ecclesiastical.

Staff contends that given the prominent placement in historical context and outstanding condition of the dwelling, residential use is compatible with surrounding land uses in this diverse area.

3. Whether and the extent to which the proposed conditional use potentially creates greater unfavorable effect or impacts on other existing or permitted uses on abutting sites than those which reasonably may result from the use of the site by a permitted use.

Residential use within a C-1 zoning district ranks among the least intense of all uses possibly permitted within that district. There is little (if any) chance that continued use as a residence could cause unfavorable effect or impact. Built in 1925, the residential structure on the subject property predates the nearby commercial uses as well as the adoption of zoning regulations in 1990.

4. Whether and the extent to which the proposed conditional use 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.

The driveway space on the subject property is 70 feet long and can accommodate four automobiles. Current development standards require that three to four-bedroom houses provide three off-street parking spaces. Staff contends that continuance of the existing residential use will not change the safety level of vehicular or pedestrian traffic in the area.

5. Whether and the extent to which the proposed conditional use would reasonably protect persons and property from erosion, flood or water damage, fire, noise, glare, and similar hazards or impacts.

No additional impact concerning erosion, flood or water damage, noise, glare, fire and other hazards are expected.

6. Whether and the extent to which the proposed conditional use adversely affects traffic control or adjacent properties by inappropriate location, lighting, or types of signs.

Staff contends that continued single-family residential use of this particular property will not have any adverse effects on traffic control or adjacent properties. Advertisement of a permitted home occupation at this location would be limited to a 1 square foot sign mounted to the front of the home.

7. Whether and the extent to which the proposed conditional use provides adequate and convenient off-street parking and loading facilities.

The Land and Site Development Ordinance requires off-street parking be provided for each single-family residence. The driveway space on the subject property is 70 feet long and can accommodate four automobiles. Current development standards require that three to four-bedroom houses provide three off-street parking spaces. Ample off-street parking is currently provided on the subject site.

8. Whether the proposed conditional use conforms to the objectives and the purpose of the zoning district in which the development is proposed.

Residential use generally does not conform to the objectives and purpose the C-1 District. While the area is zoned C-1, the pattern of development in the immediate area is a mix of light commercial and residential uses. Because of the flexibility granted the Planning and Zoning Commission in the conditional use process when considering the mix of specific land uses, and the aforementioned unique and historic characteristics in the immediate vicinity of the subject property, staff contends that in this case approval of the requested Conditional Use Permit meets with the overall spirit of the Zoning Ordinance and the Comprehensive Plan.

9. Whether the proposed conditional use will be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity.

Staff believes that permitting the continuance of residential use at this location will have no negative impact upon properties or improvements in the vicinity.

10. Whether the premises or structures are suitable for the proposed conditional use.

The existing premises are currently in use as a residence and remain suitable for that use.

RECOMMENDATION:

Staff recommends **approving** a Conditional Use Permit, to allow continued use of the subject property as a single-family residence.