

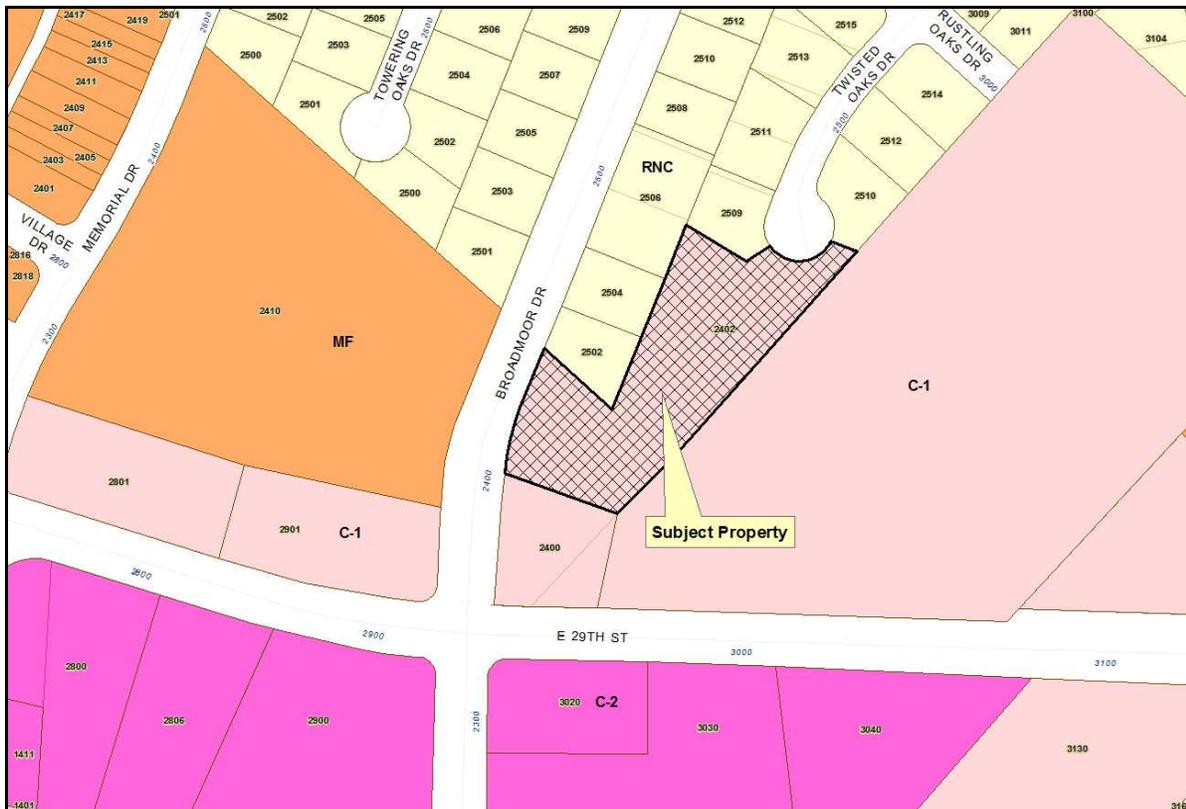
**PLANNING AND ZONING COMMISSION  
STAFF REPORT**



**October 6, 2016**

**Conditional Use Permit case no. CU 16-10: Doug Enterprises, LLC.**

- CASE DESCRIPTION:** request for approval of a Conditional Use Permit, to allow a multi-family dwelling (apartment) on property zoned Office District (C-1)
- LOCATION:** 2402 Broadmoor Drive, adjoining the east side of Broadmoor Drive between East 29<sup>th</sup> Street and Rustling Oaks Drive
- LEGAL DESCRIPTION:** 1.94 acres of land being Lot 1A in the Memorial Forest Subdivision – First Installment
- EXISTING LAND USE:** Copper Chase Office Park
- APPLICANT(S):** Doug Pederson of Doug Enterprises, LLC.
- STAFF CONTACT:** Stephanie Doland, Staff Planner
- SUMMARY RECOMMENDATION:** Staff recommends **approval** of this request, **subject to a condition** (see page 10 of this staff report).



**2015 AERIAL VIEW:**



**BACKGROUND:**

The subject property, 2402 Broadmoor Drive, adjoins the east side of Broadmoor Drive, approximately northeast from its intersection with East 29<sup>th</sup> Street. The property consists of 1.94 acres of land in the Memorial Forest Subdivision - Phase 1. In 1982, the property was subdivided as part of the First Installment of the Memorial Forest Subdivision and developed as an office park in 1984. In 1989, when the City of Bryan adopted zoning regulations, the property was zoned Office District (C-1). The applicant, Doug Pederson of Pederson Enterprises, LLC., is requesting approval of a Conditional Use Permit to allow the use of multi-family dwellings on the subject property. The applicant desires to update and remodel the existing office park into multi-family dwelling units (apartments).

It is important to note that in 1989 through the present day, the subject property has been utilized for offices uses consistent with the uses allowed by right in the C-1 District. However, in past years, occupancy in the office park has begun to decline. The current occupancy of the office park is 25 percent and existing tenants include a software company and several doctors' offices.

Zoning in the general vicinity of the subject property includes, C-1 District to the east and south, Multiple-Family District (MF) to the west (across Broadmoor Drive), and Residential - Neighborhood Conservation District (R-NC) to the north.

**IMAGES OF THE SUBJECT PROPERTY:**





## APPLICATION MATERIALS:

Dear City of Bryan officials,

Doug Pederson of Doug Enterprises L.L.C. purchased 2402 Broadmoor on August 1<sup>st</sup> of this year and has plans and hopes to convert the current office space into a maximum of 32 residential living spaces with a mix of spacious 1-1 and 2-2 (bedroom-bath) units.

We come to you today with that request – please grant us a **CONDITIONAL USE PERMIT** to change the use of 2402 Broadmoor from office space to residential living space.

Some statistics: 2402 Broadmoor is a 34,325 square foot, 5 building complex near the intersection of Broadmoor and 29<sup>th</sup> street one block from St. Joseph’s Hospital with approximately 1.94 acres of land and approximately 70 parking spaces.

In years past it has historically been poorly managed, poorly occupied, and poorly maintained. Sadly, it is today approximately 25% occupied and in poor shape.

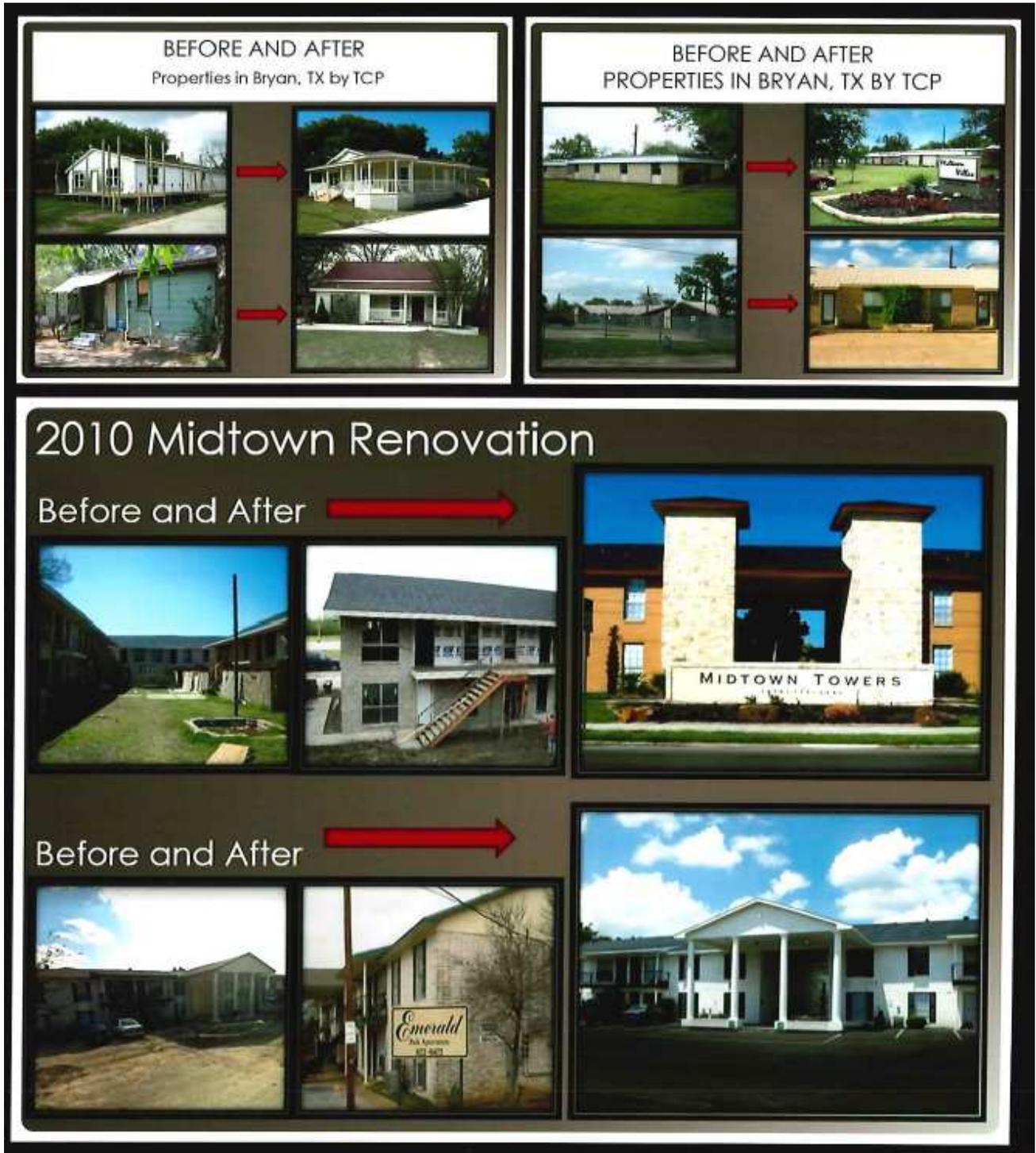
My management company Twin City Properties Mgmt., Inc. has a proven track record that is excellent with property control and property improvements. Maybe you remember the 2007 renovation of the “green buildings” on Broadmoor and Briarcrest (we sold the green buildings in 2009) and our 2009-2010 gentrification of the 1600 to 1800 section of South College Avenue which included the creation of Midtown Towers (formerly Bryan Arms), and Midtown Manor (formerly Emerald Park Apartments) and 5 other properties which went from the worst properties in Bryan to some of the safest and most popular. Crime in that neighborhood went from 111 police calls in 2008 (prior to our ownership) to just 11 in 2009 after our purchase as reported by KBTX.

We have adequate infrastructure and great bones at 2402 Broadmoor to make this transition successful and we think the look and style of the exterior lends itself to a great transition to a residential property.

The current 70 parking spaces are a problem if office space is to be continued as they will surely be inadequate, but with approximately 30 residential lease spaces with an equal projected mix of 1 and 2 bedroom floor plans, 70 parking spaces should leave us 5 to 10 spaces for overflow or visitor parking.

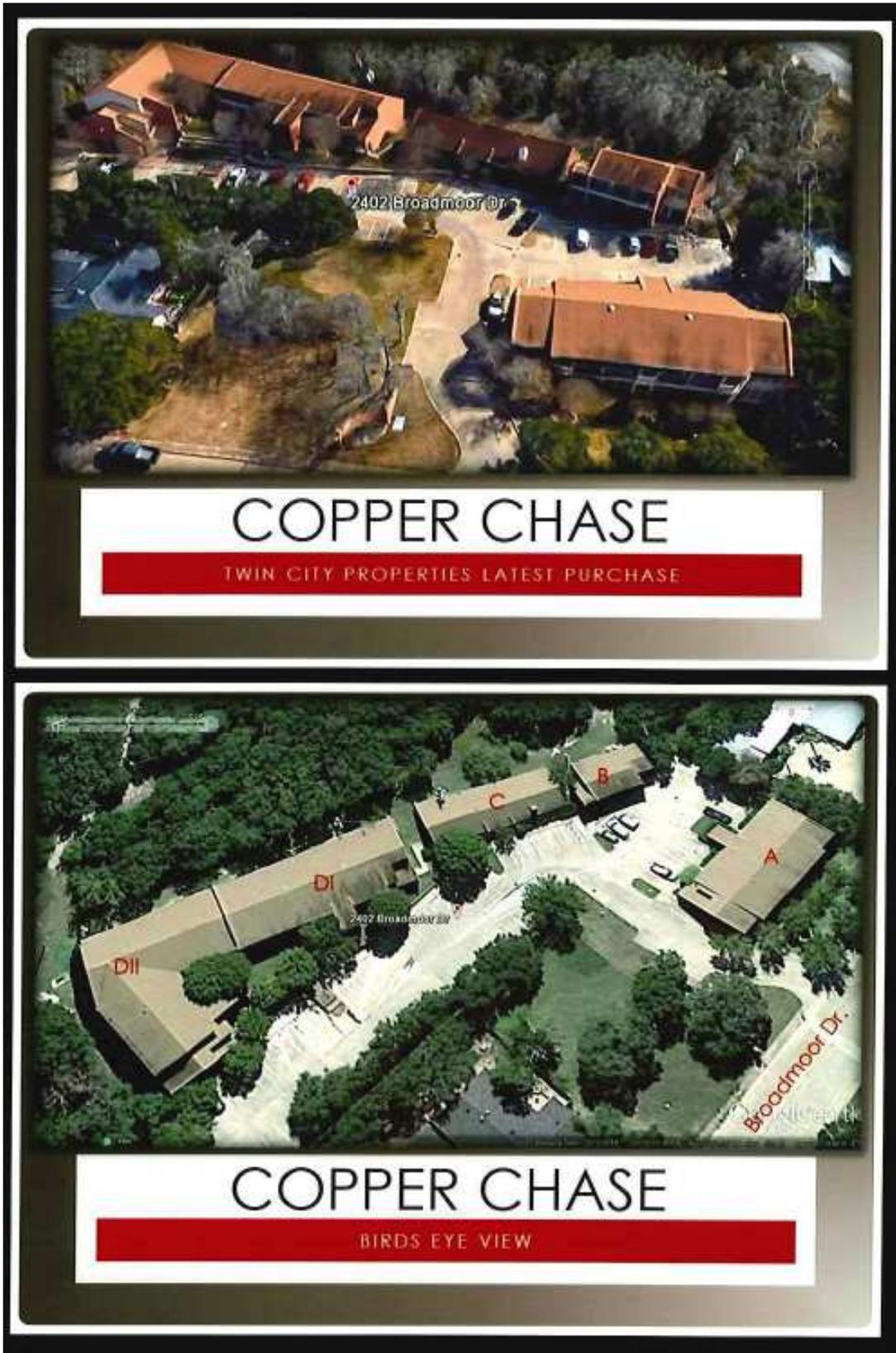
We have discussed this possible conversion with high ranking officials at St. Joseph’s Hospital, also with the City of Bryan staff and building officials including the fire department, and with the neighboring Memorial Forest HOA president Tom Hilde and no one has expressed concern. St. Joseph’s is actually **VERY EXCITED** about the possibility of us creating higher end housing that would be available for their staff with a very close proximity to the hospital.

**APPLICATION MATERIALS:**



Above images depict additional properties owned and remodeled by the applicant's company.

APPLICATION MATERIALS:



## **RELATION TO BRYAN'S COMPREHENSIVE PLAN:**

The City of Bryan's current Comprehensive Plan includes policy recommendations related to the various physical development aspects of the community. These aspects are supported by a set of goals and objectives. The Planning and Zoning Commission should consider the following when making a decision regarding this particular request:

### Chapter 5: Land Use

Redevelopment: A number of older commercial areas along major corridors contain vacant or underutilized buildings. The best local examples of redevelopment are Downtown Bryan and the Tejas Center at the corner of Texas Avenue and Villa Maria. The adaptive reuse of buildings and redevelopment of existing commercial structures supplements the tax base and beautifies the area.

High Density Residential land will predominantly consist of housing types such as apartments but may consist of other housing types as long as densities are high, ranging from 9 to 24 dwelling units per acre. These uses should be located in areas that are along collector or arterial streets at mid-block locations, where appropriate.

## **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 multi-family residential use will conform to all applicable regulations and standards established by the Zoning Ordinance.**

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.

**The subject property lies in an area where the existing land use pattern is a mix of single-family residential, multi-family, office and commercial uses in close proximity to CHI St. Joseph Regional Hospital and within the area recently studied by the City's 2014 Health and Wellness District Area Plan. Property located to the south of the subject property is developed with an office use (office building), while the property to the northeast is undeveloped and zoned for office use. Property located to the north is developed with detached single-family homes. The property located to the west of the subject property is zoned for multiple-family use and is developed with Waldenbrooke Estates apartments.**

**The use of multiple-family housing at this location is generally considered less intensive use than that of the existing use of office buildings. It is staff's opinion that the proposed use of multi-family in the existing structure would be compatible with existing and permitted uses on abutting sites. The property owner has plans to remodel the 5 buildings on the subject property as he has done on several other properties in Bryan in recent years. The proposed re-use of the current office buildings as apartment would not changes the existing building and parking lot**

**footprint on the subject property. No landscape analysis or plan has been submitted at this time so staff recommends that submittal of such be made a condition for approval of this request.**

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.

**Multi-family use within a C-1 zoning district ranks among the one of the least intense of all uses permitted or potentially permitted within that district. Staff contends there is little (if any) chance that a multi-family use at this particular location could cause greater unfavorable effects or impacts on nearby single-family residences than those potentially caused by a land use that is more intense and allowed by right at this location (e.g., general office use, hospital, pharmacy, bank, or recreation center).**

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 property currently has one 24-foot wide driveway access to Broadmoor Drive. No new driveway access points are proposed. It can be reasonably expected that there will be an increase in the amount of traffic being generated by the proposed multi-family residential use on the property, especially since the existing office development has been occupied at less than 50% capacity for quite some time. However, even a popular multi-family development at this location can still be expected to generate less traffic than if the existing 34,000+ square foot office complex were operating at full capacity. Staff does not anticipate this increase to affect safety and convenience of vehicular or pedestrian traffic in the area significantly or any worse than what could be expected from a successful office development with 100% occupancy at this location.**

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 an allowed multi-family residential use of this particular property will not have any adverse effects on adjacent properties due to the fact that an office building has been located on the property for the past 32 years. There exists a gateway sign and a directional sign on the property for the tenants in the office building. No additional signage has been proposed for the proposed multi-family residential use in conjunction with this request.**

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 that off-street parking be provided for each bedroom in a multi-family residential development. Ordinary development standards require that 1 off-street parking space be provided for each bedroom in the proposed multi-**

**family development. The applicant is proposing to develop 30 multi-family residential units, each with either 1 or 2 bedroom units. The existing site has 70 paved off-street parking spaces which would exceed the minimum amount of off-street parking required at this location by at least 17 percent, even if all 30 units were to become 2-bedroom units.**

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 District, the pattern of development in the immediate area is a mix of office, multiple-family and single-family residential uses. Furthermore, the current Comprehensive Plan promotes the adaptive reuse and redevelopment of underperforming structures and properties for the added public benefit of beautification and an increase in taxable value. Because of the flexibility granted by the Planning and Zoning Commission in the Conditional Use Permit process when considering the mix of specific land uses, and the aforementioned 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 multi-family 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.

**As stated above, due to mixture of development in the general vicinity, both of office, multiple-family use and residential use, staff contends that the location and existing structures are suitable for the proposed use of multiple-family dwelling units.**

**Staff contends that the subject property, if developed in the manner proposed is suitable for the proposed conditional use and will be an attractive, modern apartment development that can help make the area around CHI St. Joseph Regional Hospital a distinct and successful place where people want to live, work, and play.**

#### **RECOMMENDATION:**

**Staff recommends approving a Conditional Use Permit, to allow multi-family residential dwelling units, subject to the condition that a landscaping plan and analysis in accordance with the Land and Site Development Ordinance Section 62 Article 7 is submitted to the City of Bryan for review and approval prior to the issuance of a Certificate of Occupancy for multiple-family residential use.**