

**PLANNING AND ZONING COMMISSION  
STAFF REPORT**



**September 15, 2016**

**Rezoning Case no. RZ16-16: 318 Bryan Capital, LP**

- CASE DESCRIPTION:** a request to change the zoning classification from Agricultural – Open District (A-O) to Office District (C-1)
- LOCATION:** 5.5 acres of land out of the Steven F. Austin No. 9 Survey, Abstract 62 adjoining the southwest side of West Martin Luther King Street between Dean Street and Harlem Road, and currently addressed as 1401 West Martin Luther King Street
- EXISTING LAND USE:** office uses (former Kemp-Carver Elementary school building)
- APPLICANT:** Tyler Coats of 318 Bryan Capital, LP
- PROPERTY OWNER:** Same as Applicant
- STAFF CONTACT:** Lindsay Hackett, Staff Planner
- SUMMARY RECOMMENDATION:** Staff recommends **approving** this request.





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

The City of Bryan's Comprehensive Plan includes policy recommendations related to the various physical development aspects. Among the Plan's goals supported by the policies are the development of attractive entrances and corridors and encouraging and promoting compatible infill and redevelopment in areas where these activities will benefit the City as a whole and the area specifically. One of the Plan's objectives is to encourage a sustainable mix of land uses types in suitable locations, densities and patterns and to identify areas for commercial development and preserve them with appropriate zoning. The Comprehensive Plan also suggests:

### **Citywide Land Use Policies**

All land uses should be located such that:

- Appropriate buffers separate dissimilar uses. Buffers include, but may not be limited to transitional land uses, floodplain areas, parks, landscaping or natural and man-made features;
- Where incompatible land uses must be adjacent, zoning boundaries should be drawn along rear property lines such that activities face away from each other to avoid potential negative impacts;

### **Use-Specific Land Use Policies**

Office uses should be located in areas that:

- Provide a transition between residential uses and higher intensity commercial land uses

## **ANALYSIS:**

In making its recommendation regarding a proposed zoning change, the Planning and Zoning Commission shall consider the following factors.

1. Whether the uses permitted by the proposed change will be appropriate in the immediate area concerned and their relationship to general area and the City as a whole.

**Staff believes that the proposed zoning change to Office District on these 5.5 acres is appropriate in this case and conforms to the land use recommendations of the Comprehensive Plan. The Comprehensive Plan encourages the reuse of existing buildings. Approving this request will allow the renovation and reuse of the currently vacant portions of the existing 21,000 square foot former Carver-Kemp School building on the land. Staff believes that establishing a cluster of C-1 zoning at this particular location is appropriate as it will not only allow for the adaptive reuse of a former school building, but also encourage redevelopment in one of Bryan's oldest neighborhoods.**

**C-1 zoning allows only low-intensity office and small-scale business uses. Should the requested zoning change to C-1 District be approved, a no-development buffer area on the subject property will be applied along northwest and southeast property lines where the subject property abuts a residential zoning district (MU-1). Depending on the amount of landscaping provided, that buffer area will be from 15 to 25 feet wide.**

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

**The subject property has direct access to public water and sewer service via a 6-inch water line**

**and an 8-inch sewer line located along W. Martin Luther King Jr. Street. Additionally, the subject property is immediately adjacent to W. Martin Luther King Jr. Street which is classified as a minor arterial street on Bryan's Thoroughfare Plan, which can reasonably be expected to be capable of accommodating increased traffic volumes that may be generated by office occupancy at this location. Any further issues regarding capacity and utility extensions will be addressed at the time of development.**

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.

**There is very little available land specifically classified for office use in the area of the subject property. The nearest C-1 District is located approximately one mile away along Tabor Avenue near Downtown Bryan. Staff is unaware of circumstances that would make a substantial part of that land or any other nearby land zoned for office use unavailable for development. Staff contends that this zone change request, if approved, will not make such land classified for similar development in the vicinity and elsewhere in the City 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.

**Property in the area of the subject tract is largely developed. Land in Bryan specifically zoned for office use is uncommon. Less than 1% of the land in Bryan is classified C-1 District. Development of land in Bryan for specifically office uses is currently unhurried.**

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.

**Since there are no other properties zoned for office use in this area, it is unlikely that any would be adversely affected by this change.**

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

**Staff has identified no factors resulting from this requested zoning change that will affect health, safety, morals, or general welfare.**

#### **RECOMMENDATION:**

Staff recommends **approving** C-1 zoning, as requested.

EXCERPT FROM REZONING APPLICATION:

# Rezoning Supplement A



Minimum Requirements:

- Metes and Bounds description of property
- If Planned Development required, then include 15 folded copies and a .pdf of the development site plan

Please list the reasons for this rezoning request:

- 1.) BUILDINGS THAT EXIST ON THE PROPERTY ARE SUITED FOR OFFICE USE.
- 2.) ORGANIZATIONS THAT FUNCTION AND EXIST TO SERVE AND POSITIVELY IMPACT THE COMMUNITY DESIRE TO OFFICE ON THE PROPERTY.
- 3.) THE LOCATION OF THE PROPERTY LENDS ITSELF TO BEING THE SPACE MOST SUITED FOR OFFICE USE IN THE AREA.

List the changed or changing conditions in the area or City which make this zone change necessary:

ORGANIZATIONS THAT WISH TO ENGAGE AND SERVE THE LOCAL COMMUNITY ARE IN NEED OF SPACE SUITABLE FOR OFFICE USE IN THE PARTICULAR AREA. THERE ARE NO OTHER FACILITIES OR REAL ESTATE SOLUTIONS AVAILABLE FOR OFFICE USE NEARBY.

Indicate whether or not this zone change is in accordance with the Future Land Use Plan. If it is not, explain why the Plan is incorrect:

THIS CHANGE IS IN ACCORDANCE WITH THE FUTURE LAND USE PLAN. IT'S AN OFFICE USE ALONG THE FRONTAGE OF W. MLK JR. ST. THAT HAS EXCELLENT ACCESS AND PARKING AND DOES NOT ADVERSELY AFFECT THE ADJACENT RESIDENTIAL AREAS.

List any other reasons to support this zone change:

THIS ZONE CHANGE WILL ALLOW FOR AND FURTHER ALREADY EXISTING EFFORTS TO CONTINUE REVITALIZING AND ENHANCING A PROPERTY. LOCAL ORGANIZATIONS ARE COMMITTED TO BE PRESENT AND ACTIVE THERE, INVITING THE COMMUNITY ONTO THE PROPERTY AND PROVIDING QUALITY AMENITIES AND SERVICES.

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