

Chairperson Scott Hickle  
 Vice-Chairperson Pete Bienski  
 Parliamentarian Nancy Hardeman



Commissioners  
 Michael Beckendorf  
 Leo Gonzalez  
 Bobby Gutierrez  
 Kevin Krolczyk  
 Prentiss Madison  
 Robert Swearingen

**MINUTES**

**BRYAN PLANNING AND ZONING COMMISSION  
 REGULAR MEETING  
 THURSDAY, MARCH 20, 2014 – 6:00 P.M.  
 COUNCIL CHAMBERS, BRYAN MUNICIPAL BUILDING  
 300 SOUTH TEXAS AVENUE, BRYAN, TEXAS**

Disclaimer: *The meeting minutes herein are a summarization of meeting procedures, not a verbatim transcription*

**1. CALL TO ORDER.**

Chairperson Hickle called the meeting to order at 6:03 pm.

<b>Commissioners</b>	<b>Present</b>	<b>2014 Regular Meetings Held</b>	<b>2014 Regular Meetings Attended</b>	<b>Regular Meetings Held During Last 6 Months</b>	<b>Regular Meetings Attended During Last 6 Months</b>
Michael Beckendorf	Y	5	3	8	6
Pete Bienski	N	5	4	8	7
Leo Gonzalez	Y	5	3	8	6
Bobby Gutierrez	Y	5	5	8	8
Nancy Hardeman	N	5	4	8	6
Scott Hickle	Y	5	5	8	8
Kevin Krolczyk	Y	5	5	8	7
Prentiss Madison	Y	5	5	8	6
Robert Swearingen	Y	5	5	*	*

\* appointed to the Commission effective 1/1/2014

Staff Members Present: Mr. Martin Zimmermann, Planning Administrator; Mr. Randy Haynes, Senior Planner; Mr. Paul Kaspar, City Engineer; Mr. Cody Cravatt, Development Manager; Mr. Kevin Russell, Director of Development Services; Ms. Janis Hampton, City Attorney; and Ms. Annette Denton, Planning Intern.

**2. PLEDGE OF ALLEGIANCE TO THE U.S. FLAG.**

Commissioners led the pledge.

**3. HEAR CITIZENS.**

None came forward.

**4. RECOGNITION OF AFFIDAVITS FILED IN RESPONSE TO STATE LAW ON DISCLOSURE OF LOCAL OFFICIAL'S CONFLICT OF INTEREST.**

No affidavits were filed.

**5. CONSENT AGENDA.**

**a. Master Plan MP14-01: Green Branch Ridge Subdivision**

*Proposed Fourth Revised Master Preliminary Plan of Green Branch Ridge Subdivision being 113.1 acres of land out of Richardson Perry Survey, A-44, adjoining the northwest side of Steep Hollow Road, between Risinger Lane and Green Branch Loop in Bryan's eastern extraterritorial jurisdiction (ETJ) in Brazos County, Texas. (M. Dalton)*

**b. Final Plat FP-14-02: Green Branch Ridge Subdivision – Phase 4**

*Proposed Final Plat of Green Branch Ridge Subdivision – Phase 4, being 51.06 acres of land out of Richardson Perry Survey, A-44, located at the terminus' of Green Branch Loop on the northwest side of Steep Hollow Road in Bryan's eastern extraterritorial jurisdiction (ETJ) in Brazos County, Texas. (M. Dalton)*

**Commissioner Beckendorf moved to approve the Consent Agenda. Commissioner Gonzalez seconded the motion and the motion passed unanimously.**

**6. REQUESTS FOR APPROVAL OF CONDITIONAL USE PERMITS – A PUBLIC HEARING WILL BE HELD FOR EACH ITEM (Commission has final approval; appeals may be directed to City Council).**

**a. Conditional Use Permit CU14-03: Paul Leventis et. al.**

*A request for approval of a Conditional Use Permit, to amend a previously-approved request to allow an apartment complex on property zoned Commercial District (C-3), specifically on approximately 13.48 acres of land adjoining the north side of Nash Street and the east side of E. Villa Maria Road, generally south from their intersections with E. William J. Bryan Parkway (FM 158) in Bryan, Brazos County, Texas. (R. Haynes)*

Mr. Haynes presented the staff report (on file in the Development Services Department). Staff recommends approval of the request.

In response to questions from the Commission, Mr. Haynes stated that:

- the conditional use permit already approved allows for 240 units on most of the subject property.

- this request would incorporate additional land and would allow up to 312 units.
- he had received no comments from residents on the other side of East Villa Maria Road.

The public hearing was opened.

Ms. Bonnie Nuche, 2615 Leila Court, Bryan, Texas, Ms. Jean Madsen, 2613 Leila Court, Bryan, Texas, Ms. Caron Cruise, 2603 Leila Court, Bryan, Texas, Ms. Dorothy Hagen, 2605 Priscilla Court, Bryan, Texas, Mr. Bill Ray, 2611 Leila Court, Bryan, Texas, Mr. David Brouse, 3319 Broadmoor, Bryan, Texas, Mr. Ron Yokem, 2600 Trophy Drive, Bryan, Texas, Mr. Bob Mosley, 2600 Priscilla Court, Bryan, Texas, Ms. Patsy Fleming, 2610 Trophy Drive, Bryan, Texas, Ms. Sharon Anderson, 2304 Cindy Lane, Bryan, Texas, Ms. Pat Mosley, 2600 Priscilla Court, Bryan, Texas, Ms. Rosie Cemino, 3321 Broadmoor, Bryan, Texas, came forward to speak in opposition to the request. Speakers provided the following reasons for their opposition:

- the neighborhood is age restricted and safe
- increased traffic and gridlock
- increased dangerous traffic situations, like backing onto Broadmoor and increased speed
- increased density
- demographic change
- a desire to keep the area age-restricted
- a decline in future property values
- developer did not discuss plans with residents (a previous plan here was discussed with HOA)
- residents did not know about or support the previously-approved Conditional Use Permit
- lack of parking for residents' guests
- desire for a smaller development here

Mr. Paul Leventis, 1722 Broadmoor #212, Bryan, Texas, applicant, came forward to speak in favor of the request. He stated there were offices buffering the homes from the multi-family development. He described the appearance of his proposed buildings and stated they would improve the appearance of the neighborhood. He anticipated young professionals and students would live in the development. Due to utility easements and the creek, he stated that he believes this is the highest and best use of the property.

Ms. Bert Baker, 2608 Louisa Court, came forward to speak in favor of the request, stating that residents had previously voted down a senior apartment complex with recreation that residents could have access to and that she believed residents did not want anything to be developed on the property.

The public hearing was closed.

**Commissioner Beckendorf moved to approve Conditional Use Permit CU14-03, subject to the following conditions**

- 1. That the apartment development shall generally conform to the site plan attached to the staff report.**
- 2. That the apartment development shall conform to standards and limitations that generally apply to properties zoned Multiple-Family District (MF), including, but not limited to regulations concerning density, building height, coverage, access, screening, off-street parking, landscaping, accessory buildings, signs and lighting.**

3. That a site plan fulfilling all the technical requirements for development of an apartment complex on the subject property, including, but not limited to public water/sewer utility extensions, stormwater management, landscape plan and analysis, as well as on-site traffic circulation and off-street parking shall be approved by the City of Bryan's Site Development Review Committee (SDRC), before any building permits are issued.
4. That all subdivision plat requirements shall be fulfilled, as applicable, before any building permits for the construction of an apartment development on this property are issued.

and to adopt the written staff report and analysis as the report, findings and evaluation of this Commission. Commissioner Gutierrez seconded the motion.

Commissioners discussed:

- great location for young professionals
- need traffic changes in the area
- already approved most of the apartments, just adding more
- the developer will need to add the appropriate parking to be successful
- East Villa Maria Road and William J. Bryan Parkway are TxDOT roads
- concern that residents will park on neighborhood streets
- Commission did not receive this level of citizen input at approval of previous CUP
- appreciation for residents coming to voice concerns

In response to questions from the Commission, Mr. Haynes stated:

- that 312 was the maximum number of units allowed with this CUP
- there were 528 bedrooms and 536 parking spaces proposed
- the developer had begun infrastructure improvements on the property of the previous CUP

**The motion passed by a vote of six (6) in favor and one (1) in opposition. Commissioner Gonzalez cast the vote in opposition.**

**7. REQUESTS FOR APPROVAL OF ZONING CHANGES – A PUBLIC HEARING WILL BE HELD FOR EACH ITEM (Commission makes recommendation; City Council has final approval).**

**a. Rezoning RZ14-05: 1179 Joint Venture 1, LP**

*A request to change the zoning classification from Agricultural – Open District (A-O) to Planned Development - Housing District (PD-H) on 14.05 acres of land out of John Austin League, A-2, adjoining both sides of Riverstone Drive, north from its intersection with FM 1179 in Bryan, Brazos County, Texas. (M. Zimmermann)*

Mr. Zimmermann presented the staff report (on file in the Development Services Department). Staff recommends approval of the proposed rezoning.

In response to a question from the Commission, Mr. Zimmermann stated that the City could not set the speed limit on or widen TxDOT roads without TxDOT approval. Mr. Paul Kaspar, City Engineer, added that the City could only request changes and provide funding for projects.

The public hearing was opened.

Mr. Rich Hansen, 7268 Riverstone Drive, Brazos County, Texas, Mr. Robert Holzweiss, 4702 Austin's Estates Drive, Bryan, Texas, Ms. Ellen Hansen, 7268 Riverstone Drive, Brazos County, Texas, Ms. Karen Allen, 4721 River Hollow Court, Brazos County, Texas, Ms. Sharon Anderson, 2304 Cindy Lane, Bryan, Texas, Ms. Sandra Moore, 4700 Riverbend Court, Brazos County, Texas, Mr. Leonard Moore, 4700 Riverbend Court, Brazos County, Texas, Mr. Frank Opitz, 2303 Bristol Street, Bryan, Texas, Ms. Susan Russell, 2303 Bristol Street, Bryan, Texas, Mr. Ray Bomnskie, 4691 River Valley Drive, Brazos County, Texas, Mr. Trey Moore, 6884 Riverstone Drive, Brazos County, Texas, Mr. Joe Allen, 4721 River Hollow Court, Brazos County, Texas; and Ms. Rachel Moore, 6884 Riverstone Drive, Brazos County, Texas, came forward to speak in opposition to the request. Speakers provided the following reasons for their opposition:

- development density
- does not conform to the neighborhood
- a decline in future property values
- major investments have been made in Riverstone properties
- traffic increase
- concern that multi-family development would occur
- sight distance issues at the Riverstone/FM 1179 intersection
- the belief that the land should be subject to the same 1+ acre lot deed restrictions as the County-portion of Riverstone
- the Commission's previous unanimous denial of another rezoning request for this property
- all objections to previous request still apply
- the new request proposes only four less lots than the previous request
- the applicant did not meet with residents to reach a compromise
- unfair that Riverstone be compared to Miramont or Greenbriar
- inadequacy of the proposed fence as a buffer
- chances of TxDOT funding a traffic project on this portion of F.M. 1179 are slim
- still utilize Bryan schools and businesses from county property

Mr. Rich Hansen, 7268 Riverstone Drive, Brazos County, Texas, also submitted several documents to Commissioners which are on file in the Development Services Department.

Mr. Zimmermann clarified that the proposed rezoning would only allow detached and patio single-family homes and not multi-family homes.

Mr. Greg Court, co-applicant, 5029 Wallis Road, Bryan, Texas, came forward to speak in favor of the request. He stated that he built homes in the Riverstone Subdivision and does not believe that this development will cause a decline in property values.

Mr. Mark Carrabba, co-applicant, 4104 Hwy 21East, Bryan, Texas, came forward to speak in favor of the request. In response to questions from the Commission, Mr. Carrabba stated that the facades of the homes would be made of brick and stone, and that he would consider increasing

the size of some homes to 2,200 square foot and to install a brick fence/wall along Riverstone Drive.

In response to questions from the Commission, Mr. Mike Hester, 2900 Brothers Blvd, College Station, Texas, project engineer, came forward and stated that at least 5 of the proposed lots would not be large enough to have 2,200 square foot homes.

The public hearing was closed.

**Commissioner Beckendorf moved to recommend approval of Rezoning RZ14-05 to the Bryan City Council, and to adopt the written staff report and analysis, as the report, findings and evaluation of this Commission, subject to the following two changes to the development plan:**

- (1.) that homes on at least 75% of the lots in this subdivision shall have a minimum of 2,200 square feet of floor area; and**
- (2.) that the fence/wall along both sides of Riverstone Drive shall be 6-feet tall and made entirely of brick.**

**Chairperson Hickle seconded the motion.**

Commissioners discussed:

- additional cost of the recommended changes but more pleasant appearance
- the importance of community input
- the ability for citizens to speak again at City Council
- the request differed from the previous rezoning request
- the importance of keeping your word
- the quality of the work the Carrabba's have done previously
- doubt that a traffic study would suggest roadway expansion for an additional 44 lots
- demand for this type of home in the market

**The motion passed by a vote of six (6) in favor and one (1) in opposition. Commissioner Gonzalez cast the vote in opposition.**

*Chairperson Hickle called a recess at 8:10pm.*

*Chairperson Hickle reconvened the meeting at 8:17pm.*

**8. PROPOSED AMENDMENTS TO THE TEXT OF BRYAN'S CODE OF ORDINANCES – A PUBLIC HEARING WILL BE HELD FOR EACH ITEM (Commission makes recommendation; City Council has final approval).**

**a. Credit Access Businesses**

*A recommendation to the Bryan City Council regarding an amendment to the text of Bryan Code of Ordinances Chapter 130, Zoning, by adding "credit access business" to the list of potentially allowed land uses in the Retail (C-2) zoning district with prior approval of a Conditional Use Permit, and adding use-specific standards that shall apply to credit access business uses city-wide, and amending existing zoning district regulations accordingly. (M. Zimmermann)*

Mr. Zimmermann presented the staff report (on file in the Development Services Department). Staff recommends approval of the proposed text amendment.

The public hearing was opened.

None came forward.

The public hearing was closed.

**Commissioner Madison moved to recommend to the Bryan City Council the changes to the text of the Zoning Ordinance (Bryan Code of Ordinances Chapter 130), as presented by staff. Commissioner Beckendorf seconded the motion, and the motion passed unanimously.**

## 9. ADJOURN.

Without objection, Chairperson Hickle adjourned the meeting at 8:19 pm.

These minutes shall serve as the official findings of the City of Bryan Planning and Zoning Commission, as approved on this the 3<sup>rd</sup> day of **April, 2014**.

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A. S. Hickle, Chairperson  
Planning and Zoning Commission  
City of Bryan, Texas

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Martin Zimmermann, AICP  
Planning Administrator and Secretary to the  
Planning and Zoning Commission