

Chairperson Scott Hickle  
Vice-Chairperson Pete Bienski  
Parliamentarian Nancy Hardeman



Commissioners  
Leo Gonzalez  
Bobby Gutierrez  
Kyle Incardona  
Kevin Krolczyk  
Prentiss Madison  
Robert Swearingen

## MINUTES

**BRYAN PLANNING AND ZONING COMMISSION  
REGULAR MEETING  
THURSDAY, FEBRUARY 19, 2015 – 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 6:12 p.m.

<b>Commissioners</b>	<b>Present</b>	<b>2015 Regular Meetings Held</b>	<b>2015 Regular Meetings Attended</b>	<b>Regular Meetings Held During Last 6 Months</b>	<b>Regular Meetings Attended During Last 6 Months</b>
Pete Bienski	Y	3	3	9	9
Leo Gonzalez	Y	3	2	9	6
Bobby Gutierrez	Y	3	3	9	8
Nancy Hardeman	Y	3	3	9	9
Scott Hickle	Y	3	3	9	9
Kyle Incardona*	Y	3	2	9	2
Kevin Krolczyk	Y	3	3	9	9
Prentiss Madison	N	3	2	9	7
Robert Swearingen	Y	3	3	9	9

\* appointed to the Commission effective 1/1/2015

Staff Members Present: Mr. Martin Zimmermann, Planning Manager; Ms. Lauren Crawford, First Assistant City Attorney; Mr. Scott Perkes, Planning Intern; Mr. Randy Haynes, Senior Planner; Mr. Matthew Hilgemeier, Staff Planner; and Ms. Maggie Dalton, Staff Planner.

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

Chairperson Hickle led the Pledge.

**3. HEAR CITIZENS.**

No citizens came forward.

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

Ms. Lauren Crawford, First Assistant City Attorney, advised that Commissioner Hardeman had filed an affidavit for regular agenda item #9.a. and that Commissioner Hardeman will not participate in deliberation and voting on proposed amendment item no. 29 of Comprehensive Plan Amendment case no. CPA14-04.

**5. CONSENT AGENDA.**

**a. Approval of minutes from the workshop and regular meetings on February 5, 2015.**

**Commissioner Gutierrez moved to approve the Consent Agenda. Commissioner Krolczyk seconded the motion. The motion passed unanimously.**

**6. REQUESTS FOR APPROVAL OF REPLATS – A PUBLIC HEARING WILL BE HELD FOR EACH ITEM (Commission has final approval).**

**a. Replat RP15-01: Castle Heights Addition – Block 4**

*Proposed Replat of Lot 2 in Block 4 of the Castle Heights Addition, being 0.642 acres of land extending southeast between Castle Avenue and High Street, north of Conner Street and south of Conroy Street in Bryan, Brazos County, Texas (M. Hilgemeier)*

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

The public hearing was opened.

No citizens came forward.

The public hearing was closed.

**Commissioner Hardeman moved to approve replat RP15-01. Commissioner Gonzalez seconded the motion, and the motion passed unanimously.**

**b. Replat RP15-05: Cavitt's Southmore Addition – Block 6**

*Proposed Replat of Lot 1R in Block 6 of Cavitt's Southmore Addition, being 7.267 acres of land extending southeast from South Gordon Street between East 31<sup>st</sup> Street and Carter Creek Parkway in Bryan, Brazos County, Texas. (R. Haynes)*

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

In response to questions, Mr. Haynes responded that one citizen had contacted him to request information concerning this case.

The public hearing was opened.

Mr. Jim Nachlinger, 1100 Carter Creek Parkway, Bryan, Texas, applicant, representing First Presbyterian Church's Property Committee came forward to speak in favor of the request and to request a waiver of the sidewalk fee associated with the replat.

In response to questions, Mr. Haynes stated that the sidewalk fee is in place for those who do not wish to build sidewalks on their property either due to lack of need or financial burden. The fee is put into a fund that is then used for sidewalks that are needed at more important locations throughout the city.

In response to questions from the Commission, Mr. Jeff Robertson, of McClure and Browne Engineering, project engineer, answered that sidewalks for the property would cost anywhere between \$20,000 and \$25,000 to construct.

In response to questions from the Commission, Mr. Haynes stated the applicant would have to submit an application for exception to the Subdivision Ordinance to request a waiver of the sidewalk fee and that no such application had been made..

**Commissioner Gonzalez moved to approve RP15-05. Commissioner Bienski seconded the motion.**

Commissioners commented

- that the sidewalk fee should be paid if the property is to be replatted and marketed to be sold at market value; and
- that the replat is in compliance with all requirements.

**The motion passed unanimously.**

**7. 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 CU15-01: Shear Form, Inc.**

*A request for approval of a Conditional Use Permit to allow the proposed expansion of a machine shop use on land zoned Mixed Use District (MU-2), specifically on 0.725 acres of land adjoining the south side of Dellwood Street between First and Second Street, being all of Lots 4*

*and 8 and parts of Lots 9 and 10 in the Miltree Place Subdivision, and currently addressed as 207 Dellwood Street in Bryan, Brazos County, Texas. (M. Hilgemeier)*

Mr. Hilgemeier presented the staff report (on file in the Development Service Department). Staff recommends approval of the request, subject to certain conditions.

In response to questions, Mr. Hilgemeier responded:

- The proposed building will be constructed of metal. No masonry or stone is required.
- The shop on the subject property has been in use since 2005.
- The proposed building will be a single story building.
- No calls or concerns from citizens have been received.
- The site plan will require paved parking and additional landscaping.

The public hearing was opened.

Mr. Doug Krebs, 302 Tee Drive, Bryan, TX, applicant, came forward to speak in favor of the request. Mr. Krebs clarified that the building on the property has been in place since 1989 and used as a machine shop since 2005.

The public hearing was closed.

**Commissioner Gonzalez moved to approve Conditional Use Permit CU15-01, as requested, subject to the following conditions:**

- 1. That a site plan fulfilling all the technical requirements for development, including, but not limited to public water/sewer utility extensions, storm water management, landscape plan and analysis and on-site traffic circulation, shall be approved by the City of Bryan's Site Development Review Committee (SDRC), before any building permits are issued.**
- 2. That any such site plan shall substantially conform to the conceptual site plan and that are attached to this staff report.**
- 3. That all activities associated with the operation of a machine shop use at this location are conducted indoors;**

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

Commissioners thanked Mr. Krebs for growing his business within the City of Bryan and being a good neighbor to the surrounding area.

**The motion passed unanimously.**

**8. 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 RZ14-21: Texas KJ Investments, LLC**

*A request to change the zoning classification from Agricultural-Open District (A-O) to Retail District (C-2) on approximately 1.187 acres of land out of the Maria Kegan Survey, Abstract No. 28 extending southeast from Elmo Weedon Road, approximately 825 feet north from its intersection with State Highway 30/F.M. 158 in Bryan, Brazos County, Texas. (M. Dalton)*

Ms. Dalton presented the staff report (on file in the Development Service Department). Staff recommends approval of the request.

The public hearing was opened.

Mr. Dale White, 9936 Hunters Run, College Station, TX, came forward to speak in opposition to the request. He is concerned about decreasing his property value as well as open opportunity for tall apartment buildings to be constructed right behind his property.

Mr. Rabon Metcalf, 1391 Seamist Lane, College Station, TX, project engineer, came forward to speak in favor of the request and to make himself available for questions.

The public hearing was closed.

In response to questions from the Commission, Ms. Dalton responded:

- C-2 District zoning allows for apartments to be constructed only with approval of a conditional use permit.
- She has no knowledge of what the applicant wishes to develop on the land.
- No complaints have been received from citizens concerning the case.

**Commissioner Gutierrez moved to recommend approval of RZ14-21 to the Bryan City Council, and to adopt the written staff report and analysis, as the report, findings and evaluation of this Commission. Commissioner Gonzalez seconded the motion.**

Commissioners

- appealed to the applicant to be sensitive to the neighbors' concerns; and
- added that the Commission must do what is best for the city while still taking to heart any concerns that citizens may have.

In response to questions, Mr. Zimmermann clarified that this rezoning case as well as the associated annexation case only includes vacant land and does not include any of the adjacent residential land in the Hunters Creek Subdivision.

**The motion passed by a vote of 6 in favor and 2 in opposition with Commissioners Incardona and Swearingen casting votes in opposition.**

**9. REQUESTS FOR ANNEXATION – A PUBLIC HEARING WILL BE HELD FOR EACH ITEM (Commission makes recommendation; City Council has final approval).**

**a. Annexation ANNEX15-01: Texas KJ Investments, LLC**

*An owner-requested annexation of 2.032 acres of land out of the Maria Kegan Survey, Abstract No. 28 adjoining the southeast side of Elmo Weedon Road approximately 825 to 1,050 feet north from its intersection with State Highway 30/F.M. 158 in Brazos County, Texas. (M. Zimmermann)*

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

In response to questions, Mr. Zimmermann responded that

- no requests are pending to annex portions of the Hunters Creek Subdivision into the City of Bryan; and
- it is not known what the property owner has planned for the subject property or the associated land that is already within city limits; and
- all conditional use permits allowed within a C-1 zoning district are also allowed within a C-2 zoning district.

The public hearing was opened.

Mr. Dale White, 9936 Hunters Run, College Station, TX, came forward to speak in opposition to the request. He is concerned about decreasing his property value as well as open opportunity for tall apartment buildings to be constructed right behind his property.

In response to questions, Mr. Zimmermann clarified annexation procedure.

Mr. Rabon Metcalf, 1391 Seamist Lane, College Station, TX, project engineer, came forward to speak in favor of the request. Mr. Metcalf explained topographical features of the subject property, suggesting that most of the subject property would likely have to be the area where stormwater is detained upon development of the entire 13+ acre tract.

The public hearing was closed.

**Commissioner Gutierrez moved to recommend approving the owner-requested annexation (ANNEX 15-01) and that the property be assigned C-2 (Retail) zoning upon annexation to the Bryan City Council, and to adopt the written staff report and analysis as the report, findings and evaluation of this Commission. Commissioner Gonzalez seconded the motion.**

Commissioners

- discussed the importance of the subject property's location to the future development of the city; and
- discussed the city's ability to better control future development here upon annexation.

**The motion passed by a vote of 6 in favor and 2 in opposition with Commissioners Incardona and Swearingen casting votes in opposition.**

**10. PROPOSALS TO AMEND THE CITY OF BRYAN COMPREHENSIVE PLAN (Commission makes recommendation; City Council has final approval).**

**a. Comprehensive Plan Amendment CPA14-04: City of Bryan**

*A proposal to amend the City of Bryan's Thoroughfare Plan in the area generally located south of Sandy Point Road and Texas State Highway 21 between Harvey Mitchell Parkway/Texas State Highway 2818, north of Raymond Stotzer Parkway / Texas State Highway 50 and east of the Brazos River. (R. Haynes)*

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

Ms. Lauren Crawford reminded the Commission that per the Affidavit filed Commissioner Hardeman would be abstaining from deliberation and voting on proposed Thoroughfare Plan amendment item no. 29 of CPA14-04.

The public hearing was opened.

No one came forward.

The public hearing was closed.

**Commissioner Hickle moved to consider amendment item no. 29 separately. Commissioner Swearingen seconded the motion, and the motion passed unanimously.**

**Commissioner Hickle moved to recommend approval of all but amendment item no. 29 of CPA14-04 to the Bryan City Council, and to adopt the written staff report and analysis, as the report, findings and evaluation of this Commission. Commissioner Bienski seconded the motion and the motion passed unanimously.**

**Commissioner Hickle moved to recommend approval of CPA14-04 including section 29 to the Bryan City Council, and to adopt the written staff report and analysis, as the report, findings and evaluation of this Commission. Commissioner Gonzalez seconded the motion and the motion passed with a vote of 7 to 0. Commissioner Hardeman abstained from deliberating and voting on this item.**

**11. ADJOURN.**

Without objection, Commissioner Hickle adjourned the meeting at 7:10p.m.

These minutes shall serve as the official findings of the City of Bryan Planning and Zoning Commission, as approved on this the 5<sup>th</sup> day of **March, 2015.**

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

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

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