

Chairperson Scott Hickle  
 Vice-Chairperson Bobby Gutierrez  
 Parliamentarian Nancy Hardeman



Commissioners  
 Leo Gonzalez  
 Kyle Incardona  
 Kevin Krolczyk  
 Prentiss Madison  
 Robert Swearingen

**AGENDA**

**BRYAN PLANNING AND ZONING COMMISSION  
 REGULAR MEETING  
 THURSDAY, OCTOBER 15, 2015 – 6:00 P.M.  
 COUNCIL CHAMBERS, BRYAN MUNICIPAL BUILDING  
 300 SOUTH TEXAS AVENUE, BRYAN, TEXAS**

**1. CALL TO ORDER.**

Chairperson Hickle called the meeting to order at 6:10 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>
Leo Gonzalez	Y	16	11	13	9
Bobby Gutierrez	Y	16	15	13	12
Nancy Hardeman	Y	16	12	13	9
Scott Hickle	Y	16	14	13	11
Kyle Incardona	Y	16	13	13	11
Kevin Krolczyk	Y	16	16	13	13
Prentiss Madison	Y	16	14	13	13
Robert Swearingen	Y	16	14	13	11

Staff members present: Ms. Janis Hampton, City Attorney; Mr. Martin Zimmermann, Planning Manager; Ms. Stephanie Doland, Staff Planner; Mr. Randy Haynes, Staff Planner; Mr. Cody Cravatt, Development Manager; and Ms. Maria Watson, Planning Intern.

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

Chairperson Hickle led the pledge.

### 3. HEAR CITIZENS.

No citizens came forward.

*Chairperson Hickle suggested that agenda item 8. Conditional Use Permit CU15-13: 7 Oaks Development LTD, and agenda item 9. Planning Variance PV15-13: 7 Oaks Development LTD be considered directly following consideration of the Consent Agenda. There were no objections.*

### 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. Approval of minutes from the workshop and regular meetings on October 15, 2015.

#### b. Final Plat FP15-16: Hwy 30 Business Park Subdivision

*Proposed Final Plat of Hwy 30 Business Park Subdivision, being 9.76 acres of land out of Maria Kegan Survey, and adjoining the northeast side of State Highway 30 between Winding Creek Road (private road) and Cole Lane in Bryan, Brazos County, Texas. (M. Hilgemeier)*

#### c. Final Plat FP15-23: Trail's End Subdivision

*Proposed Final Plat of Trails End Subdivision, being 1.041 acres of land out of the Moses Baine League and located north of the intersection of Rabbit Lane and Nancy Street in Bryan, Brazos County, Texas. (R. Haynes)*

#### d. Final Plat FP15-26: Siena Subdivision – Phase 4

*Proposed Final Plat of Siena Subdivision – Phase 4, being 17.742 acres of land out of John Austin Survey, A-2 and located generally southeast of Old Reliance Road, wedged between the current termini of Positano Loop in Bryan, Brazos County, Texas. (M. Zimmermann)*

#### e. Final Plat FP15-17: Siena Subdivision – Phase 5

*Proposed Final Plat of Siena Subdivision – Phase 5, being 6.076 acres of land out of John Austin Survey, A-2 and located generally southeast of Old Reliance Road, generally south of the westernmost terminus of Positano Loop in Bryan, Brazos County, Texas. (M. Zimmermann)*

**Commissioner Madison moved to approve the Consent Agenda. Commissioner Swearingen seconded the motion and the motion passed unanimously.**

### 8. 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 CU15-13: 7 Oaks Development LTD.

*A request for approval of a Conditional Use Permit, to allow zero lot line (patio) homes on property zoned Residential District – 5000 (RD-5), being approximately 1.136 acres of land out of the John Austin League, A-2 adjoining the northeast side of a proposed extension of Peterson Way, which is currently under construction, approximately 85 feet to 535 feet southeast from its*

*intersection with Janice Trail (proposed Lots 1 through 9 in Block 1 of Briar Meadows Creek Subdivision – Phase 5), in Bryan, Brazos County, Texas. (S. Doland)*

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

Commissioners directed questions toward staff including whether or not the new homes will have access to the alleyway. Ms. Doland responded that whether or not the Conditional Use Permit is approved, the nine new lots in this new subdivision will have access to the public alleyway.

The public hearing was opened.

Mr. Glenn Shinn, 3112 Broadmoor Dr., Bryan, Texas, Mr. Bob Piwonka, 3120 Broadmoor Dr., Bryan, Texas, Mr. Charles Phelps, 3116 Broadmoor Dr., Bryan, Texas, Ms. Judie Brugger 3121 Broadmoor Dr., Bryan, Texas, Ms. Linda Piwonka, 3120 Broadmoor Dr., all of Bryan, Texas, came forward to speak in opposition to the request. Concerns that were raised included:

- The destruction of the fence along the alleyway.
- Safety of the current residents.
- Safety of the future residents, citing the alleyway as a danger for children and cars.
- Neighborhood integrity.
- Privacy.
- Increased density.
- Traffic.
- Age appropriateness of the neighborhood.

In response to questions, Ms. Doland stated:

- The alley is a two-way alleyway; to her knowledge there are no plans to make it a one-way alleyway.
- There will be 9 new lots with potential access to the alleyway regardless of the outcome of this request.
- The surrounding neighborhood consists of zero lot line patio homes.
- The fence is located within the public alley right-of-way.

In response to questions, Mr. Cravatt stated:

- Staff will review plans to make sure every lot that is built conforms to residential building code.
- Access to the public right-of-way may not be restricted.

Paul Leventis, applicant, 9007 Sandstone Dr., Bryan, Texas, came forward to speak in favor of the request:

- Will need to alter the fence to create emergency access
- Desires pedestrian access for Camelot Park
- The rest of the fence will be up to each individual builder

*Commissioner Gonzalez left the meeting at 7:50 p.m., a quorum still being present.*

The public hearing was closed.

**Commissioner Krolczyk moved to approve Conditional Use CU15-13 to the Bryan City Council, and to adopt the written staff report and analysis, as the report, findings and evaluation of this Commission. Commissioner Gutierrez seconded the motion.**

Commissioners stated that they believe the Conditional Use Permit would help preserve the neighborhood quality and that the fence is a separate issue.

**The motion passed unanimously.**

**9. REQUESTS FOR APPROVAL OF VARIANCE TO STANDARDS OF ARTICLE IV (BUILDING SETBACKS AND LOT STANDARDS) OF THE LAND AND SITE DEVELOPMENT ORDINANCE (BRYAN CODE OF ORDINANCES CHAPTER 62) – A PUBLIC HEARING WILL BE HELD FOR EACH ITEM (Commission has final approval; applicants may direct appeals to City Council).**

**a. Planning Variance PV15-13: 7 Oaks Development LTD.**

*A request for approval of a 5-foot variance from the minimum 7.5-foot side building setback generally required on properties zoned Residential District - 5000 (RD-5), to allow the construction of two new detached single-family homes within 2.5 feet of the northwestern and southeastern side property lines, respectively, on two new lots on approximately 0.25 acres of land out of John Austin League, A-2, adjoining the northeast side of a proposed extension of Peterson Way, which is currently under construction, approximately 555 feet to 655 feet southeast from its intersection with Janice Trail (proposed Lots 26 and 27 in Block 2 of Briar Meadows Creek Subdivision – Phase 5), in Bryan, Brazos County, Texas. (S. Doland)*

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

The public hearing was opened.

Mr. Glen Shinn, 3112 Broadmoor Dr., Bryan, Texas, state that he had no objections to the request for the stated reasons:

- access is to Peterson Way as opposed to the alley
- no traffic risk.

The public hearing was closed.

**Commissioner Gutierrez moved to approve Planning Variance PV15-13 to the Bryan City Council, and to adopt the written staff report and analysis, as the report, findings and evaluation of this Commission. Commissioner Incardona seconded the motion.**

Commissioners discussed their appreciation for quality development in that area.

**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 RP15-31: Block 1 of Ehlinger Place Subdivision**

*Proposed Replat of Lots 2 through 4 in Block 1 of Ehlinger Place Subdivision, being 0.664 acres of land located generally southeast of the 100 block of Ehlinger Drive between South College Avenue and Lakeview Street 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.

The public hearing was opened.

Mr. Mickey Sodhi on behalf of Mr. Upinder Sodhi, 114 Ehlinger Drive, Bryan, Texas and Mr. Gerardo Contreras, 117 Ehlinger Dr., Bryan, spoke in opposition to the request. Stated concerns included:

- Parking, and can residents get a “no parking” sign on the street
- Traffic
- Noise
- Existing family-oriented neighborhood now including college-aged kids
- Impact on existing daycare

In response to questions, Mr. Haynes stated:

- Size of the house dictates amount of parking; the applicant has indicated through conceptual drawings that there will be two driveways with parking in the backyard with more spaces than bedrooms
- Ordinance permits this use

The public hearing was closed.

**Commissioner Madison moved to approve Replat RP15-31, subject to the removal of the existing residential structure from the property, based on staff’s recommendations and review which considers adherence to all pertinent state and local requirements for replatting. Commissioner Swearingen seconded the motion and the motion passed unanimously.**

**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 RZ15-17: Larry Wayne Armstrong and Rebekah O’Brien**

*A request to change the zoning classification from Agricultural – Open District (A-O) to Retail District (C-2) on 42.59 acres of land out of John H Jones Subdivision, and adjoining the southeast side of State Highway 47 north from Raymond Stotzer Parkway in Bryan, Brazos County, Texas. (M. Zimmermann)*

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

In response to questions, Mr. Haynes commented that to his knowledge they have received no complaints.

The public hearing was opened.

Mr. Michael Patranella, 1506 E. 31<sup>st</sup>, Bryan, TX came forward to ask what types of businesses would be allowed in C-2 zoning and if a long-term development plan had been submitted.

In response to Mr. Patranella's questions, Mr. Haynes explained that retail businesses, restaurants, offices, and banks would be allowed and that no development plan has been submitted to City staff.

The public hearing was closed.

**Commissioner Gutierrez moved to approve Rezoning RZ15-17 to the Bryan City Council, and to adopt the written staff report and analysis, as the report, findings and evaluation of this Commission. Chairperson Hickle seconded the motion.**

Commissioners discussed being pleased to see the current bridge in the area now leading to development. The area is growing and Commissioners are pleased to see development in that part of town.

**The motion passed unanimously.**

**b. Rezoning RZ15-19: Felix Torres**

*A request to change the zoning classification from Agricultural – Open District (A-O) to Residential District – 5000 (RD-5) on 7.75 acres of land out of Stephen F. Austin League #9 currently addressed as 2502 Beck Street and adjoining the north side of the 2500 block of Beck Street, approximately 1,000 feet east of its intersection with Suncrest Street in Bryan, Brazos County, Texas. (M. Hilgemeier)*

Ms. Doland 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 Gutierrez moved to approve Rezoning RZ15-19 to the Bryan City Council, and to adopt the written staff report and analysis, as the report, findings and evaluation of the Commission. Commissioner Hardeman seconded the motion and the motion passed unanimously.**

**c. Rezoning RZ15-12: STTC, LLC.**

*A request to change the zoning classification from a combination of Agricultural – Open District (A-O), Retail District (C-2), Industrial District (I), and Planned Development – Housing District (PD-H), to Planned Development – Mixed Use District (PD-M) on 164.28 acres of land adjoining the southwest side North Harvey Mitchell Parkway (FM 2818) between West State Highway 21 and Sandy Point Road in Bryan, Brazos County, Texas. (M. Hilgemeier)*

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 stated:

- This development will not allow sexually-oriented businesses.
- Traffic safety will be taken care of by the Texas Department of Transportation who is responsible for the adjoining roadways.

The public hearing was opened.

No citizens came forward.

The public hearing was closed.

**Commissioner Madison moved to approve Rezoning RZ15-12 to the Bryan City Council, and to adopt the written staff report and analysis, as the report, findings and evaluation of this Commission. Commissioner Krolczyk seconded the motion.**

Commissioners discussed being pleased with the innovativeness of having a planned development.

**The motion passed unanimously.**

**10. ADJOURN.**

Without objection, Chairperson Hickle adjourned the meeting at 7:52 p.m.

These minutes shall serve as the official findings of the City of Bryan Planning and Zoning Commission, as approved on this the 15<sup>th</sup> day of **October, 2015.**

---

Scott Hickle, Chairperson  
Planning and Zoning Commission  
City of Bryan, Texas

---

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