

Chairperson Bobby Gutierrez
 Vice-Chairperson Leo Gonzalez
 Parliamentarian Kevin Krolczyk

Commissioners
 John Bush
 Cathy Conlee
 Kyle Incardona
 Prentiss Madison
 Reuben Marin
 Robert Swearingen



MINUTES

**BRYAN PLANNING AND ZONING COMMISSION
 REGULAR MEETING
 THURSDAY, OCTOBER 6, 2016 – 6:00 P.M.
 COUNCIL CHAMBERS, BRYAN MUNICIPAL BUILDING
 300 SOUTH TEXAS AVENUE, BRYAN, TEXAS**

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

1. CALL TO ORDER.

Chairperson Gutierrez called the meeting to order at 6:00 pm.

Commissioners	Present	2016 Regular Meetings Held	2016 Regular Meetings Attended	Regular Meetings Held During Last 6 Months	Regular Meetings Attend During Last 6 Months
John Bush	Y	16	16	12	12
Cathy Conlee	Y	16	15	12	12
Leo Gonzalez	N	16	12	12	10
Bobby Gutierrez	Y	16	16	12	12
Kyle Incardona	N	16	13	12	10
Kevin Krolczyk	N	16	13	12	10
Prentiss Madison	Y	16	15	12	12
Reuben Marin	Y	16	16	12	12
Robert Swearingen	Y	16	12	12	11

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

Chairperson Gutierrez 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.

No affidavits were filed.

5. CONSENT AGENDA.

a. Approval of minutes from the workshop and regular meetings on September 15, 2016.

b. Final Plat FP16-15: Austin's Colony Phases 16 & 17

Proposed Final Plat of Austin's Colony Phases 16 and 17, being 28.336 acres of land out of the John Austin League, A-2, adjoining the south side of Thornberry Drive between Bullinger Creek Drive and Embers Loop in Bryan, Brazos County, Texas. (M. Zimmermann)

c. Right-of-way Abandonment RA16-08: Alley in Block 3 of Woodlawn Addition

A request to abandon an approximately 20-foot wide and 200-foot long public alley right-of-way extending east-to-west between Birch Street and Hickory Street in Block 3 of the Woodlawn Addition, being a total of 0.0115 acres (4,000 square feet) of land in Bryan, Brazos County, Texas. (S. Doland)

Commissioner Swearingen moved to approve the Consent Agenda. Commissioner Bush seconded the motion, and 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 RP16-27: Block C of Country Club Estates Subdivision – No. 2

Proposed Replat of Lots 1 and 2 in Block C of the Country Club Estates Subdivision – No. 2, being a total of 0.797 acres of land at the south corner of Fairway Drive and Link Street, and currently addressed as 3200 Link Street 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. Allen Dean, 314 Tee Drive, Bryan, TX, Mr. Charles Kornegay, 407 Tee Drive, Bryan, TX, Ms. Chantel Scheuring, 311 Tee Drive, Bryan, TX, Ms. Lezli Wienke, 400 Fairway Drive, and Mr. Robert Morris, 404 Tee Drive, Bryan, TX came forward to speak in opposition to the request. Stated concerns included:

- Link Street is very narrow and cannot accommodate street parking
- Many of the existing homes in the neighborhood were built according to deed

- restrictions, which are now being ignored
- Students are parking along the sides of narrow streets, making it difficult for cars and school buses to pass each other
 - Quality of life for current residents is diminishing
 - The developments on Montauk Court in Bryan contributed to flooding issues in the area
 - Residents value their homes and community
 - The Bryan vision statement emphasizes a focus on heritage and family-oriented housing, rather than multi-student housing
 - These are non-owner occupied homes that are not intended to house single families
 - There will be seven homes built in a less than one-block area in front of her house, which will collectively house 28-35 students
 - There is not enough parking space to accommodate this many cars, and students will therefore park along the street
 - Not enough has been done to address flooding issues
 - The proposed easement will create more flooding on Fairway Drive
 - Trash due to flooding
 - Safety concerns caused by drivers speeding on Tee Drive, especially when cars are parked along both sides of the street

Mr. Justin Whitworth, 1027 Walton Drive, College Station, TX, applicant, came forward to speak in favor of the request and stated that:

- He had not been party to the development of any of the structures constructed in the neighborhood in recent years
- He holds to a high standard of thoughtfulness in designing homes and cares about maintaining the quality of the neighborhood
- The steps being taken to widen the drainage easement at 3200 Link Street will be part of an ongoing process to provide a solution to drainage and flooding issues
- He follows zoning guidelines in determining the locations of his projects, and believes that in the long-term they will add stability to their environments

In response to questions from the Commission, Ms. Doland stated that:

- The Site Development Review Committee determined that parking will not be allowed along Link Street.
- She received three emails in opposition to this request
- The proposed easement will allow the City to take measures to correct the way that water flows through the property

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

- Deed restrictions involve a private contract, and the City is not allowed be involved or to enforce them
- The City must follow separate development standards set by the Land and Site Ordinance and Subdivision Ordinance, and a proposal that meets these standards cannot be denied

The public hearing was closed.

Commissioner Bush moved to approve Replat RP16-27, based on staff's recommendations and review which considers adherence to all pertinent state and local requirements for replatting. Commissioner Swearingen seconded the motion.

Commissioners commented that they respect the concerns being expressed, but that the proposed replat meets all requirements for approval.

The motion passed unanimously.

b. Replat RP16-31: Block B of Country Club Estates Subdivision – No. 2

Proposed Replat of Lot 7 in Block B of Country Club Estates Subdivision – No.2, being a total of 0.399 acres of land at the east corner of Fairway Drive and Link Street, and currently addressed as 317 Fairway Drive 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. Charles Kornegay, 407 Tee Drive, Bryan, TX and Mr. Robert Morris, 404 Tee Drive, Bryan, TX came forward to speak in opposition to the request. Stated concerns included:

- concerns about deed restrictions and lack of available parking
- it is difficult to predict when properties are being replatted and existing homes demolished

The public hearing was closed.

Commissioner Bush moved to approve Replat RP16-31, based on staff's recommendations and review which considers adherence to all pertinent state and local requirements for replatting. Commissioner Madison seconded the motion, and the motion passed unanimously.

7. REQUESTS RELATED TO 1.248 ACRES OF LAND LOCATED AT THE SOUTHEAST CORNER OF WEST 28TH AND KUBIN STREETS, AND CURRENTLY ADDRESSED AS 1025 WEST 28TH STREET IN BRYAN, BRAZOS COUNTY, TEXAS – A PUBLIC HEARING WILL BE HELD FOR EACH ITEM (Commission has final approval; applicants may direct appeal of variance denial to City Council).

a. Planning Variance PV16-19: Contreras Construction Co., Inc.

A request for approval of variances to the minimum 100-foot lot depth generally required on properties zoned Residential District – 5000 (RD-5), to allow the creation of 4 new lots intended for single-family residential development, specifically proposed Lots 1R-1, 1R-2, 1R-3, and 1R-4 in Block A of Kubin Addition, which are proposed to be 82 feet, 80 feet, 87 feet, and 98 feet in depth, respectively. (L. Hackett)

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

The public hearing was opened.

No one came forward.

The public hearing was closed.

Commissioner Marin moved to approve Planning Variance PV16-19, and to adopt the written staff report and analysis, as the report, findings and evaluation of the Commission. Commissioner Conlee seconded the motion.

Commissioner Marin thanked the Contreras family for investing in this area of Bryan, and stated that the project will improve neighborhood pride and beautify the area.

The motion passed unanimously.

b. Replat RP16-33: Kubin Subdivision

Proposed Replat of Lot 1R in Block A of the Kubin Subdivision. (L. Hackett)

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

The public hearing was opened.

No one came forward.

The public hearing was closed.

Commissioner Marin moved to approve Replat RP16-33, based on staff's recommendations and review which considers adherence to all pertinent state and local requirements for replatting. Commissioner Madison seconded the motion.

Commissioner Marin commented that he is looking forward to this development.

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 CU16-08: Terry B. Roberts

A request for approval of a Conditional Use Permit, to allow a single-family detached dwelling on land zoned Commercial District (C-3), specifically on property located at 2316 Boatwright Street, at the west corner of Brookhaven and Boatwright Streets, being half of Lot 7 and Lot 8 in Block 4 of the Northview Subdivision 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.

No one came forward.

The public hearing was closed.

Commissioner Madison moved to approve Conditional Use Permit CU16-08, and to adopt the written staff report and analysis as the report, findings, and evaluation of this Commission. Commissioner Marin seconded the motion.

Commissioner Madison thanked Mr. Roberts for doing a great job remodeling the home.

The motion passed unanimously.

b. Conditional Use Permit CU16-10: Doug Enterprises, LLC

A request for approval of a Conditional Use Permit, to allow a multi-family dwelling (apartment) on property zoned Office District (C-1), specifically on property located at 2402 Broadmoor Drive, adjoining the east side of Broadmoor Drive between East 29th Street and Rustling Oaks Drive, being Lot 1A in the Memorial Forest Subdivision – First Installment 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.

In response to questions from the Commission, Ms. Doland stated that staff recommendation is conditional upon the submission of a formal landscape plan.

The public hearing was opened.

Ms. Amanda Provazek, 2514 Twisted Oaks Drive, Bryan, TX, Ms. Robin Watkins, 2513 Twisted Oaks Drive, Bryan, TX, Ms. Francis Veech, 2515 Twisted Oaks Drive, Bryan, TX, Mr. Robert VanBrunt, 2714 Camelot Drive, Bryan, TX, Mr. Tom Hilde, 2515 Oak Circle, Bryan, TX, Mr. John Lopez, 2509 Memorial Drive, Bryan, TX and Ms. Catherine VanBrunt, 2714 Camelot Drive, Bryan, TX came forward to speak in opposition to the request. Cited concerns included:

- Decrease in property values
- Increase in traffic
- Residents were not adequately notified about the proposed developments
- Management in the event that Mr. Pederson sells the property
- Lack of concern for neighborhood preservation
- That they would like to meet with Mr. Pederson to further discuss his plans for the property

Mr. Doug Pederson, 10942 Lakefront Drive, College Station, TX, applicant, came forward to speak in favor of the request. He stated that the property will be developed into high-end, residential apartments, and he believes that they will be occupied by professionals as opposed to students.

In response to questions from the Commission, Ms. Doland stated that:

- The existing building layout is not proposed to change
- Parking and circulation will be of no greater concern than if the existing building were at full capacity

- Notices were issued via postcard to property owners within 200 feet of the site
- A courtesy notification was sent to the homeowner's association

The public hearing was closed.

Commissioner Bush moved to approve Conditional Use Permit CU16-10, 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, and to adopt the written staff report and analysis as the report, findings, and evaluation of the Commission. Commissioner Madison seconded the motion.

Commissioners thanked Mr. Pederson for his work, and stated that they believe this request will contribute positively to the community.

The motion passed unanimously.

9. REQUESTS FOR APPROVAL OF EXCEPTIONS FROM DESIGN STANDARDS OF THE SUBDIVISION ORDINANCE (BRYAN CODE OF ORDINANCES CHAPTER 110) – A PUBLIC HEARING WILL BE HELD FOR EACH ITEM (Commission has final approval; appeals may be directed to City Council).

a. Planning Exception PE16-01: Osborn Business Park Subdivision

A request for approval of an exception from standards for subdivision design of the Subdivision Ordinance (Bryan Code of Ordinances Chapter 110) which states that drainage easements shall not be considered part of the lot area for purposes of minimum lot size requirements for lots zoned Commercial District (C-3), to allow proposed new Lot 4 in Block 2 of the Osborn Business Park – Phase 2 on 11.814 acres of land at the east corner of Osborn Lane and Prairie Drive 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.

No one came forward.

The public hearing was closed.

Commissioner Bush moved to approve Planning Exception PE16-01, based on staff's recommendations and to adopt the written staff report and analysis as the report, findings, and evaluation of the Commission. Commissioner Conlee seconded the motion.

Commissioner Bush commented that the development of Osborn Lane will positively impact the City of Bryan.

The motion passed unanimously.

10. 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 PV16-20: Toby Brewster

A request for approval of a 10-foot variance from the minimum 25-foot front building setback, and a 2.5-inch variance to the minimum side building setback generally required on properties zoned Residential District – 5000 (RD-5), to allow the proposed construction of a new single-family home within 15 feet from the front property line and within 7 feet and 2.5-inches from side property lines on property located at 3105 Broadmoor Drive, adjoining the southwest side of Broadmoor Drive between Janice Trail and Braeburn Street, being Lot 9 in Block 2 of the Briarcrest West Subdivision – Phase 1 in Bryan, Brazos County, Texas. (L. Hackett)

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

The public hearing was opened.

Ms. Marilyn Franer, 3107 Broadmoor Drive, Bryan, TX, stated her concerns about the request, citing that if that requested variance is approved, the setback of the proposed home may not line up with nearby properties.

In response to questions, Ms. Hackett stated that the requested variance will allow the proposed home to line up with nearby properties.

The public hearing was closed.

Commissioner Swearingen moved to approve Planning Variance PV16-20, and to adopt the written staff report and analysis, as the report, findings and evaluation of the Commission. Chairperson Bush seconded the motion.

Chairperson Gutierrez thanked staff for their work.

The motion passed unanimously.

b. Planning Variance PV16-21: Harriet G Turner

A request for approval of a 15-foot variance from the minimum 25-foot front building setback generally required on properties zoned Residential District – 5000 (RD-5), to allow the proposed expansion of a front porch of an existing residence to extend within 10 feet from the front property line on property at 1209 Baker Street, adjoining the northwest side of Baker Street between East 29th and East 30th Streets, being Lot 5R in Block 13 of the Philips Addition 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. Mike Lane, 4706 Camargo Ct, College Station, TX, agent for the applicant, came forward to speak in favor of the request.

The public hearing was closed.

Commissioner Bush moved to approve Planning Variance PV16-21, and to adopt the written staff report and analysis, as the report, findings and evaluation of the Commission. Commissioner Madison seconded the motion, and the motion passed unanimously.

11. ADJOURN.

Without objection, Chairperson Gutierrez adjourned the meeting at 7:58 p.m.

These minutes shall serve as the official findings of the City of Bryan Planning and Zoning Commission, as approved on this the **20th** day of **October, 2016**.

Bobby Gutierrez, Chairperson
Planning and Zoning Commission
City of Bryan, Texas

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