

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, MAY 7, 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 6:00 p.m.

Commissioners	Present	2015 Regular Meetings Held	2015 Regular Meetings Attended	Regular Meetings Held During Last 6 Months	Regular Meetings Attended During Last 6 Months
Pete Bienski	Y	6	6	8	8
Leo Gonzalez	Y	6	4	8	6
Bobby Gutierrez	Y	6	6	8	8
Nancy Hardeman	N	6	5	8	7
Scott Hickle	Y	6	6	8	8
Kyle Incardona*	Y	6	4	8	4
Kevin Krolczyk	Y	6	6	8	8
Prentiss Madison	Y	6	4	8	5
Robert Swearingen	Y	6	6	8	8

* 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; and Mr. Randy Haynes, Senior 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.

No affidavits were filed.

5. CONSENT AGENDA.

a. Approval of minutes from the workshop and regular meetings on April 16, 2015.

b. Final Plat FP14-21: Coulter North Addition

Proposed Final Plat of Coulter North Addition, being 0.3743 acres of land out of John Austin League, A-2, adjoining the southeast side of North Coulter Drive between Park and Ertle Streets in Bryan, Brazos County, Texas. (R. Haynes)

Commissioner Gutierrez moved to approve the Consent Agenda. Commissioner Bienski 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 CU15-04: David Riddle

A request for approval of a Conditional Use Permit, to allow continued use of a property as a single-family residence in an Office (C-1) zoning district, specifically on property located at 202 S. Parker Avenue, being parts of Lots 6-8 and an abandoned alley right-of-way in Block 138 of the Bryan Original Townsite, adjoining the west side of South Parker Avenue between West 27th and West 28th Streets 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 no concerned citizens have contacted him regarding this case.

The public hearing was opened.

Ms. Vivian Zamora, P.O. Box 2714, Bryan, TX, 77805, spoke as a neighboring property owner in favor of keeping the subject property zoned for commercial use.

Mr. Haynes clarified that no zoning is proposed to be changed on the subject property.

The public hearing was closed.

Commissioner Gutierrez moved to approve CU15-04, to allow continued use of the subject property as a single-family residence, and to adopt the written staff report and analysis as the report, findings, and evaluation of this commission. Commissioner Bienski seconded the motion.

Commissioners discussed

- the homeowners inability to make substantial repairs to the subject property without a conditional use permit; and
- the importance of the historical single-family residence in its location and their desire to keep the property in its current condition.

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 RZ15-02: Jeffrey M. Burns

A request to change the zoning classification from Residential District - 5000 (RD-5) to Multiple-Family District (MF) on 0.287 acres of land, being Lots 6 and 7 in Block 2 of Highland Park Subdivision – Phase 1, addressed as 4408 Aspen Street and located at the west corner of Aspen and Foch Streets, in Bryan, Brazos County, Texas. (R. Haynes)

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

In response to questions, Mr. Haynes responded:

- City staff has spoken with the applicant with regards to alternative solutions to rezoning the property.
- The current lot dimensions prevent the subject property from being developed with a multi-family development under the city's current multi-family zoning regulations.
- The acquisition of adjacent property would alleviate the lot dimension limitations that the multi-family zoning designation would present.
- Should the rezoning request be denied, the applicant has the option to apply for a planned development zoning designation in which custom design standards can be applied to allow for multi-family use on the subject property without changing the zoning to multi-family zoning.

The public hearing was opened.

Mr. Jeffery Burns, 205 South Hill Street, Caldwell, Texas, applicant, spoke as the grandson of the subject property owner in favor of the rezoning request.

The public hearing was closed.

Commissioner Gutierrez moved to recommend denial of Rezoning RZ15-02 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.

Commissioner discussed

- their desire to see multi-family use of the subject property; and
- a planned development would allow for the desired building standards required for the subject property to be developed with multi-family housing.

The motion passed unanimously.

b. Rezoning RZ15-07: Texas – Villa Maria Retail, L.P.

A request to amend the development plan of a previously-approved Planned Development – Business District (PD-B) on 0.665 acres of vacant land, being Lot 12R of Villa Maria Road Subdivision, addressed as 712 East Villa Maria Road and adjoining the north side of East Villa Maria Road between South Texas Avenue and Wayside Drive, 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.

No one came forward.

The public hearing was closed.

Commissioner Gutierrez moved to recommend approval of Rezoning RZ15-07 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.

Commissioners discussed

- their excitement in seeing this development take the next step towards completion; and
- wished the developer the best of luck.

The motion passed unanimously.

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. Bryan Code of Ordinances Chapters 62 and 130

A recommendation to the Bryan City Council regarding amendments to the text of Bryan Code of Ordinances Chapter 62, Land and Site Development, and Chapter 130, Zoning, correcting internal conflicts, inconsistencies, ambiguities, scrivener’s errors, formatting mistakes and other technical irregularities of a non-substantive nature, to make the ordinances easier to use, less prone to misinterpretation and confusion, and more legally defensible. (M. Zimmermann)

Mr. Zimmermann introduced Mr. Kirk Bishop as the consultant working with staff on this project and presented the Commission with information pertaining to the proposed amendments to the text of Bryan's Code of Ordinances Chapters 62 and 130.

The public hearing was opened.

No one came forward.

The public hearing was closed.

Commissioner Madison moved to recommend approval of the proposal to amend the text of Bryan Code of Ordinances Chapters 62 and 130, as presented, correcting internal conflicts, inconsistencies, ambiguities, scrivener's errors, formatting mistakes and other technical irregularities of a non-substantive nature, to make the ordinances easier to use, less prone to misinterpretation and confusion, and more legally defensible. Commissioner Bienski seconded the motion.

Commissioners thanked staff and Mr. Bishop for their work on the proposed text amendments.

The motion passed unanimously.

9. ADJOURN.

Without objection, Commissioner Hickle adjourned the meeting at 6:45 p.m.

These minutes shall serve as the official findings of the City of Bryan Planning and Zoning Commission, as approved on this the **21th** day of **May, 2015**.

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

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