



MINUTES
City of Dickinson
PLANNING & ZONING COMMISSION

April 18, 2023

The Dickinson Planning and Zoning Commission met in a duly called and announced Regular Meeting on **Tuesday, April 18, 2023**, at **6:30 PM** in the Council Chamber located at 4403 Highway 3, Dickinson, Texas 77539 for the purpose of considering the following numbered items:

ITEM 1.) CALL TO ORDER AND CERTIFICATION OF A QUORUM

Chairperson Bruce Henderson called the meeting to order at **6:30 P.M.**

Ms. Yvonne Briscoe, Dickinson Senior Planner, called roll and a quorum was verified.

Commissioners present were as follows: Bruce Henderson, Deborah Fortner, Phillip Lipoma, Marjorie Morgan, Amy Skicki.

ITEM 2.) INVOCATION

The invocation was led by Commissioner Deborah Fortner.

ITEM 3.) PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Commissioner Amy Skicki.

ITEM 4.) ANNOUNCEMENTS AND PRESENTATIONS

4.A Receive a report from City staff.

Ms. Briscoe reported to the Commission about the following subjects:

- Recent City Council actions,
- Recent Comprehensive Plan actions,
- Recent Master Parks Plan actions,
- Recent Unified Land Development Code Update actions.

ITEM 5.) CONSENT AGENDA

The following items are considered routine and will be enacted by one motion. There will not be a separate discussion on these items unless a Commission member requests, in which event the item will be removed from the consent agenda and discussed after the consent agenda.

- 5.A Consideration and possible action on approving the minutes of the **March 21, 2023** Planning and Zoning Commission regular meeting.

Marjorie Morgan motioned to Approve, and Amy Skicki seconded the motion.

VOTE:

5 AYES (Bruce Henderson, Deborah Fortner, Phillip Lipoma, Marjorie Morgan, Amy Skicki)

0 NAYS

MOTION PASSED

ITEM 6.) PUBLIC HEARING AND ACTION ITEMS FROM PUBLIC HEARINGS

- 6.A Conduct a public hearing concerning a request to amend the official zoning map from Conventional Residential (CR) zoning district to General Commercial (GC) zoning district for the approx. ± 0.63 acres, **generally located north of Park Street approx. ± 175 feet west of Dickinson Avenue**, legally described as ABST 19 PERRY & AUSTIN SUR PT OF LOT 6 (6-14) NICHOLS ADDN.

- Staff Presentation
- Applicant Presentation
- Public Comments
- Applicant Rebuttal
- Adjourn Public Hearing

Chairperson Henderson opened the public hearing at **6:35 P.M.**

Ms. Briscoe summarized the item.

Mrs. Ngoc-Thuy Pham provided the applicant presentation.

There being no public signed up to speak, there are no public comments.

There being no public in opposition of the proposed application, there is no applicant rebuttal.

Chairperson Henderson adjourned the public hearing at **6:36 P.M.**

- 6.B Consideration and possible action concerning making a recommendation on a request to amend the official zoning map from Conventional Residential (CR) zoning district to General Commercial (GC) zoning district for the approx. ± 0.63 acres, **generally located north of Park Street approx. 175 feet west of Dickinson Avenue**, legally described as ABST 19 PERRY & AUSTIN SUR PT OF LOT 6 (6-14) NICHOLS ADDN.

Commissioner Deborah Fortner expressed agreement for the zoning amendment.

Commissioner Phillip Lipoma requested staff's recommendation.

Ms. Briscoe provided staff recommendation for approval to amend the official zoning map from Conventional Residential (CR) zoning district to General Commercial (GC) zoning district.

Commissioner Amy Skicki agreed this location makes sense for General commercial zoning.

Chairperson Bruce Henderson expressed concerns with vehicles driving through the lot and recommended a barrier when developed.

Deborah Fortner motioned to Recommend for approval, and Amy Skicki seconded the motion.

VOTE:

5 AYES (Bruce Henderson, Deborah Fortner, Phillip Lipoma, Marjorie Morgan, Amy Skicki)

0 NAYS

MOTION PASSED

- 6.C Conduct a public hearing concerning a request for a Specific Use Permit for Automotive sales, new or used, leasing, service and repair shops, including auto bodywork shops in an Interstate Commercial ("IC") zoning district, for approx. ± 0.92 acres, located at **2801 Gulf Fwy**, and legally described as ABST 19 PERRY & AUSTIN SUR RES A (0-1) J B KING SUB REPLAT NO 1; and

approx. ± 1.69 acres, unaddressed property **generally located east of Gulf Fwy approx. 200 feet south of Sunset Drive**, and legally described as ABST 19 PERRY & AUSTIN SUR RES B (0-2) J B KING SUB REPLAT NO 1.

- Staff Presentation
- Applicant Presentation
- Public Comments
- Applicant Rebuttal
- Adjourn Public Hearing

Chairperson Henderson opened the public hearing at **6:39 P.M.**

Ms. Briscoe summarized the item.

Mr. Kevin Lardie, on behalf of Gay Family Kia, provided the applicant presentation.

There being no public signed up to speak, there are no public comments.

There being no public in opposition of the proposed application, there is no applicant rebuttal.

Chairperson Henderson adjourned the public hearing at **6:40 P.M.**

- 6.D Consideration and possible action concerning making a recommendation on a request for a Specific Use Permit for Automotive sales, new or used, leasing, service and repair shops, including auto bodywork shops in an Interstate Commercial ("IC") zoning district, for approx. ± 0.92 acres, located at **2801 Gulf Fwy**, and legally described as ABST 19 PERRY & AUSTIN SUR RES A (0-1) J B KING SUB REPLAT NO 1; and

approx. ± 1.69 acres, unaddressed property **generally located east of Gulf Fwy approx. 200 feet south of Sunset Drive**, and legally described as ABST 19 PERRY & AUSTIN SUR RES B (0-2) J B KING SUB REPLAT NO 1.

Commissioner Deborah Fortner inquired if this request is to expand the existing business.

Mr. Lardie responded that a new facility is being proposed.

Chairperson Bruce Henderson requested staff's recommendation.

Ms. Briscoe provided staff recommendation for **Approval with conditions** of the proposed Specific Use Permit for Automotive sales, new or used, leasing, service and repair shops, including auto bodywork shops in an Interstate Commercial ("IC") zoning district. Staff recommends the following conditions:

- a minimum twenty-foot open space between the subject property and any residentially zoned properties with no parking or drive aisles permitted,
- Repair work shall be separated by screening from any residentially zoned properties, and all public rights-of-way,
- a vehicle storage area must be designated for all inoperable vehicles, damaged vehicles, or vehicles that have missing parts. Vehicles that are not maintained for driving and waiting to be serviced must remain in the vehicle storage area unless currently under repairs. The vehicle storage area shall be designed so that the vehicles stored within are screened from any residentially zoned properties, and all public rights-of-way in any manner, and

- the proposed development access point on Sunset Drive to be placed on the eastern boundary or be restricted to right in and right out.

Chairperson Bruce Henderson inquired if the applicant had any concerns with staff's recommendation.

Mr. Lardie responded they have no concerns with the recommended conditions.

Amy Skicki motioned to Recommend for approval as recommended by staff, and Deborah Fortner seconded the motion.

VOTE:

5 AYES (Bruce Henderson, Deborah Fortner, Phillip Lipoma, Marjorie Morgan, Amy Skicki)

0 NAYS

MOTION PASSED

- 6.E Conduct a public hearing concerning a request to amend the official zoning map from Conventional Residential (CR) zoning district to General Commercial (GC) zoning district for the approx. ± 0.59 acres, **generally located west of Hwy 3 approx. ± 550 feet north of Hughes Road**, legally described as ABST 208 W WILSON SUR TRACT 25-1, 0.5950 ACRES.

- Staff Presentation
- Applicant Presentation
- Public Comments
- Applicant Rebuttal
- Adjourn Public Hearing

Chairperson Henderson opened the public hearing at **6:45 P.M.**

Ms. Briscoe summarized the item.

Frank Taylor provided the applicant presentation.

There being no public signed up to speak, there are no public comments.

There being no public in opposition of the proposed application, there is no applicant rebuttal.

Chairperson Henderson adjourned the public hearing at **6:47 P.M.**

- 6.F Consideration and possible action concerning making a recommendation on a request to amend the official zoning map from Conventional Residential (CR) zoning district to General Commercial (GC) zoning district for the approx. ± 0.59 acres, **generally located west of Hwy 3 approx. ± 550 feet north of Hughes Road**, legally described as ABST 208 W WILSON SUR TRACT 25-1, 0.5950 ACRES.

Chairperson Bruce Henderson requested staff's recommendation.

Ms. Briscoe provided staff recommendation for approval to amend the official zoning map from Conventional Residential (CR) zoning district to General Commercial (GC) zoning district.

Commissioner Deborah Fortner stated the property seems to have been missed in the zoning of the Hwy 3 corridor.

Ms. Briscoe confirmed the DFW split this portion of the property and then rezoned the other portion from CR to GC.

Chairperson Bruce Henderson expressed concern that the development process is burdensome on property owners.

Deborah Fortner motioned to Approve, and Phillip Lipoma seconded the motion.

VOTE:

5 AYES (Bruce Henderson, Deborah Fortner, Phillip Lipoma, Marjorie Morgan, Amy Skicki)

0 NAYS

MOTION PASSED

ITEM 7.) ACTION ITEMS FOR CONSIDERATION

- 7.A Consideration and possible action concerning a request for **Bayou Lakes Section 5 Preliminary Plat**, being approximately ± 46.21 acres, generally located south of W. FM 517 Road and east of Cemetery Drive.

Ms. Briscoe summarized the item and provided staff recommendation for **approval with condition** of the request for Bayou Lakes Section 5 Preliminary Plat.

- Civil plans for infrastructure must be reapplied for and permitted by the city,
- Infrastructure must be approved or accepted by the City prior to final plat approval, and
 - Temporary Access Easement must be approved by the City and recorded prior to final plat
 - Easement must define temporary limits.

Ms. Briscoe added these are requirements due to the previous plat and permit approvals expiring.

Chairperson Bruce Henderson inquired when the previous approvals expired and if any conditions have changed.

Ms. Briscoe responded that the approvals expired over a year ago. The Temporary Access Easement was not previously included. When the adjacent development plats, the temporary easements would be dissolved.

Commissioner Phillip Lipoma inquired if they had seen this application previously.

Ms. Briscoe responded Board of Adjustment considered the property for a variance.

Chairperson Bruce Henderson added this is the fifth section of the development, Commission has seen other sections. Mr. Henderson expressed concerns with requiring Civil plans for infrastructure to be reapplied for and permitted by the city.

Ms. Briscoe responded this is due to the expiration of the permits. All work must be permitted prior to performing the work.

Marjorie Morgan motioned to Approve with Conditions, and Amy Skicki seconded the motion.

VOTE:

5 AYES (Bruce Henderson, Deborah Fortner, Phillip Lipoma, Marjorie Morgan, Amy Skicki)

0 NAYS

MOTION PASSED

- 7.B Consideration and possible action concerning a request for **Mac Gregor's Replat Marker Oaks Ranch Section Two Preliminary Plat**, being approx. ± 36.17 acres of the property located at 302 Avenue J, and legally described as part of Abstract 1 M Austin Survey South Part of Lots 2, 3, 4 & Closed ROW (2-0) McGregor Subdivision.

Ms. Briscoe summarized the item and provided staff recommendation for **approval with conditions** of the request for Mac Gregor's Replat Marker Oaks Ranch Section 2 Preliminary Plat:

- When civil plans are submitted, Street intersections shall be as nearly at right angles as practicable, giving due regard to terrain and topography,
- Civil plans for infrastructure must be applied for and permitted by the city,
- Drainage district approval required prior to civil plan permit approval,
- The road ROW near the pipeline in front of LOT 5 – Block 1 must be parallel,
- Infrastructure must be approved or accepted by the City prior to final plat approval,

- Fire protection plan required to be listed and approved on Civil plans and final plat,
- Resolution number with approved date and subdivision variance description must be notated on final plat, and
- Recorded HOA documents required to be submitted to the city and notated on final plat.

Chairperson Bruce Henderson inquired if this property has the drainage along the western boundary.

Ms. Briscoe confirmed this is the same property. The property was previously considered by the Commission and City Council for a subdivision variance.

Deborah Fortner motioned to Approve with Conditions, and Amy Skicki seconded the motion.

VOTE:

5 AYES (Bruce Henderson, Deborah Fortner, Phillip Lipoma, Marjorie Morgan, Amy Skicki)

0 NAYS

MOTION PASSED

ITEM 8.) ADJOURNMENT

Amy Skicki motioned to Adjourn, and Phillip Lipoma seconded the motion.

VOTE:

5 AYES (Bruce Henderson, Deborah Fortner, Phillip Lipoma, Marjorie Morgan, Amy Skicki)

0 NAYS

MOTION PASSED


Chairperson Bruce Henderson adjourned the meeting at **7:00 P.M.**

PASSED, APPROVED, AND ADOPTED this 20TH DAY OF JUNE 2023.



BRUCE HENDERSON, Chairperson

ATTEST:


YVONNE BRISCOE, Senior Planner