

**AGENDA
PLANNING AND ZONING COMMISSION
Monday, February 20, 2017
5:00 PM**

ROLL CALL

SPECIAL RECOGNITION OF OUTGOING PLANNING COMMISSIONER TARA WICKER

RECOGNITION OF NEW PLANNING COMMISSIONERS DONNA COLLINS-LEWIS AND DR. JAMES GILMORE, JR.

APPROVAL OF MINUTES

1. January 17, 2017
Approved 8-0
[Other](#)

COMPREHENSIVE PLAN UPDATE

RULES FOR CONDUCTING PUBLIC HEARINGS

Applicant and applicant representatives for the proposal will speak first for a period not to exceed fifteen (15) minutes.

Those members of the public desiring to speak on a particular item should refer to a meeting agenda and fill out a request to speak card indicating which item they wish to speak on and place it in the designated location prior to the meeting. Once the item is announced, each person's name who has filled out a card will be called on to speak. Proponents will speak, then the opponents. Each speaker will not be allowed more than three (3) minutes. The speakers are requested to limit their remarks and to avoid duplication in their presentations.

Applicant will be allowed a total period of five (5) minutes for rebuttal.

Items placed on the Consent Agenda by the Planning Commission Staff will not have time allocated for speaking, unless there is a member of the public present at the meeting who wishes to speak on the item.

CONSENT AGENDA

Items other than waivers with no outstanding issues. Items may be approved with a single motion without a public hearing, unless removed from the consent agenda and placed in the regular agenda order.

CONSENT - ITEMS FOR WITHDRAWAL

7, 8, 17

CONSENT - ITEMS FOR DEFERRAL

4, 6, 15, 18

CONSENT - ITEMS FOR APPROVAL

9, 10, 11, 12, 14

REGULAR AGENDA

Items will require approval by the Metropolitan Council unless otherwise noted.

THESE ITEMS WILL REQUIRE APPROVAL BY COUNCIL

2. [TA-10-16] Chapter 8, Rural Zoning: To repeal and revise Section 8.213, Rural Zoning to remove grandfathering provisions for multi-family and nonresidential uses and reduce the allowable density.
PLANNING STAFF FINDINGS: Approval is recommended, with reservations, based on consistency with FUTUREBR and the recommendation of the Zoning Advisory Committee as requested by Councilmember Amoroso
Approved 6-2
[Staff Report](#)
3. [TA-1-17] Chapter 7, Nonconformities: To revise Chapters 7 and 11 to add restrictions regarding building on contiguous nonconforming lots in Single Family Residential (A1) zoning with common ownership and revises Chapter 11 for consistency.
PLANNING STAFF FINDINGS: Staff recommends approval, based on Council direction to develop ordinance language in order to better protect the character of existing neighborhoods in the A-1 zoning district and consistency with the comprehensive plan
Denied unanimously, 8-0
[Staff Report](#)
4. **CONSENT FOR DEFERRAL.** [TA-2-17] Chapter 4 Permits and Final Plat Approval, Section 4.8 Cluster Subdivision: To revise the section of the Cluster Subdivision to establish basis for density transfers, criteria for preservation areas, and clear standards for lot dimensions.
PLANNING STAFF FINDINGS: Denial of the proposed ordinance and approval of an alternative ordinance that simply deletes Section 4.8, Cluster Subdivision, of the UDC is recommended. While the revisions are consistent with FUTUREBR and clarify the requirements for Cluster Subdivisions as requested by the Planning Commission as a result of their experience with use of the existing provisions, they continue to create an opportunity to bypass Metro Council in seeking approval of developments that some might consider inconsistent with FUTUREBR as a result of the density resulting from the cluster provisions.
Deferred to March 20, 8-0
[Staff Report](#)
5. [TA-3-17] Chapter 17, Parking and Loading: To revise Section 17.5.3B to decrease driveway limitations for townhouse and duplex dwellings in the Suburban Character Area, revise Section 17.8.2 to correct an error, and introduce standards for directional indicators.
PLANNING STAFF FINDINGS: Approval is recommended, based on consistency with FUTUREBR and the need to simplify the Unified Development Code (UDC)
Approved 8-0
[Staff Report](#)
6. **CONSENT FOR DEFERRAL.** [TA-4-17] Chapter 12, Recreational Facilities and Open Space: To remove portions that are redundant with other chapters.
PLANNING STAFF FINDINGS: Approval is recommended, based on consistency with FUTUREBR and the need to simplify the UDC
Deferred to March 20, 8-0
[Staff Report](#)
7. **CONSENT FOR WITHDRAWAL.** [Case 51-16] 9656 Cal Road: To rezone from Single Family Residential (A1) to Single Family Residential (A2) on property located at the southwest quadrant of the corner of Cal Road and Inniswold Road, on Lot 294 of Inniswold Estates Subdivision. Section 58, T7S, R1E, GLD, EBRP, LA (Council District 11-Watson).
Withdrawn on February 7 by the applicant
[Application](#)

8. **CONSENT FOR WITHDRAWAL.** [Case 70-16] 12841 North Oak Hills Parkway: To rezone from Single Family Residential (A1) to Neighborhood Office (NO) on property located at the northwest quadrant of the intersection of Siegen Lane and North Oak Hills Parkway on Lot U-1-A-1 of Oak Hills Park Subdivision, 8th Filing. Section 37, T8S, R1E, GLD, EBRP, LA (Council District 3-Loupe).
PLANNING STAFF FINDINGS: Staff certifies that the proposed request meets the minimum criteria for a change of zoning, being consistent with the Comprehensive Plan, compatible with surrounding uses, and conforming to Unified Development Code requirements
Withdrawn on February 13 by the applicant
[Application](#)
9. **CONSENT FOR APPROVAL.** [Case 2-17] 5509 River Road: To rezone from Single Family Residential (A1) and Light Commercial (C1) to Light Commercial (LC3) on property located on the southeast quadrant of the intersection of Brightside Drive and River Road, known as Lot ML-1, referred to as a portion of Arlington Plantation Subdivision. Section 60, T7S, R1W, GLD, EBRP, LA (Council District 3-Loupe)
PLANNING STAFF FINDINGS: Staff certifies that the proposed request meets the minimum criteria for a change of zoning, being consistent with the Comprehensive Plan, compatible with surrounding uses, and conforming to Unified Development Code requirements
Approved 8-0
[Application](#) [Staff Report](#)
10. **CONSENT FOR APPROVAL.** [Case 3-17] 1173 and 1195 Seaboard Drive: To rezone from Rural (R) to Heavy Commercial (HC1) on property located at the northeast quadrant of the intersection of Seaboard Drive and Coy Avenue, on Lots 56 and 57 of Plantation Plaza Subdivision. Section 73, T8S, R1E, GLD, EBRP, LA (Council District 3-Loupe)
PLANNING STAFF FINDINGS: Staff certifies that the proposed request will meet the minimum criteria for a change of zoning, being consistent with the Comprehensive Plan, compatible with surrounding uses, and conforming to Unified Development Code requirements, if a combination plat of the two parcels is approved
Approved 8-0
[Application](#) [Staff Report](#)
11. **CONSENT FOR APPROVAL.** [Case 4-17] 18303 Perkins Road East: To rezone from Heavy Commercial (C2) to Commercial Alcoholic Beverage – Restaurant (C-AB-1) on property located north of Perkins Road E and east of Highland Road, being a portion of Tract Y-1-C-2-A on the Leon R. Kleinpeter property. Section 55, T8S, R2E, GLD, EBRP (Council District 9-Hudson)
PLANNING STAFF FINDINGS: Staff certifies that the proposed request meets the minimum criteria for a change of zoning, being consistent with the Comprehensive Plan, compatible with surrounding uses, and conforming to Unified Development Code requirements
Approved 8-0
[Application](#) [Staff Report](#)
12. **CONSENT FOR APPROVAL.** [Case 6-17] 5010 Mancuso Lane: To rezone from Light Commercial (C1) to Heavy Commercial (HC1) on property located to the west of Mancuso Lane, to the south of Summa Avenue, on Lot 5-X-2 of the Silverside Plantation Subdivision. Section 53, T7S, R1E, GLD, EBRP, LA (Council District 11-Watson)
PLANNING STAFF FINDINGS: Staff certifies that the proposed request meets the minimum criteria for a change of zoning, being consistent with the Comprehensive Plan, compatible with surrounding uses, and conforming to Unified Development Code requirements
Approved 8-0
[Application](#) [Staff Report](#)

13. [Case 7-17] 2426 and 2440 O'Neal Lane: To rezone from Rural (R) to Light Commercial (LC1) on property located south of Interstate 12, on the west side of O'Neal Lane, on Tract 16-A and 16-B, all being a portion of the Lirocchi Subdivision. Sections 47, T7S, R2E, GLD, EBRP, LA (Council District 8-Amoroso)
PLANNING STAFF FINDINGS: Staff certifies that the proposed request meets the minimum criteria for a change of zoning, being consistent with the Comprehensive Plan, compatible with surrounding uses, and conforming to Unified Development Code requirements
Approved 8-0
[Application](#) [Staff Report](#)
14. **CONSENT FOR APPROVAL.** [PUD-1-03] Creekstone (aka Towne Center at Cedar Lodge) Concept Plan Revision 3: To revise an existing PUD Concept Plan to clarify allowable HC2 uses and remove kennel from the list of prohibited uses, on property located on the south side of Jefferson Highway, to the north of Corporate Boulevard, on Tracts TC-1, TC-2, TC-3-A-1, TC-3-A-2, TC-3-A-3, TC-3-J, TC-3-K, and TC-3-L-1 of Cedar Lodge Plantation. Section 91, T7S, R1E, GLD, EBRP, LA (Council District 11-Watson)
PLANNING STAFF FINDINGS: Staff certifies that the proposed request meets the minimum requirements of the UDC for Planning Commission consideration
Approved 8-0
[Application](#) [Staff Report](#) [Plans](#)
15. **CONSENT FOR DEFERRAL.** [RV-17-16] Revocation of North Elmer Forbes Road located between Port-Hudson Pride Road and East Elmer Forbes Road. (Council District 1-Welch)
PLANNING STAFF FINDINGS: Staff certifies that the proposed request meets the minimum requirements of the UDC for Planning Commission consideration
Deferred to April 17. 8-0
[Application](#) [Staff Report](#) [Plans](#)

THESE ITEMS REQUIRE ONLY PLANNING COMMISSION APPROVAL AND WILL NOT GO ON TO COUNCIL FOR ACTION

16. [PUD-15-06] Cheval Trails Final Development Plan (Phase 1, 1st – 3rd Filings): Proposal for 106 low density residential units on property located on the west side of Old Scenic Highway (Highway 964) and south of Zimmerman Road, on a portion Tract 1-B-1-A-3-A-1-A-1 of the Aubrey L. Barber Property. Sections 59, 61 and 63, T5S, R1W, GLD, EBRP, LA (Council District 1-Welch)
PLANNING STAFF FINDINGS: Staff certifies that the proposed request is consistent with the Concept Plan and meets the minimum requirements of the UDC for Planning Commission consideration
Approved 7-1
[Application](#) [Staff Report](#) [Plans](#)
17. **CONSENT FOR WITHDRAWAL.** [S-9-16] Christian Street Townhomes Subdivision: A proposed 14 lot townhome subdivision with a common area tract on public streets, located at the southwest quadrant of the intersection of Christian Street and Fiero Street, on Lots 23-A, 23-B, 23-C and C-2 of Zee Zee Gardens Subdivision. (Council District 12-Freiberg).
Withdrawn on January 31 by the applicant
[Application](#)
18. **CONSENT FOR DEFERRAL.** [SS-1-17] @ Highland Commercial Subdivision: A proposed private street within a five lot commercial subdivision on property located at the northwest quadrant of the intersection of Highland Road and Bluebonnet Boulevard, on Lots 1, 2, 3, 4-A and 4-B of the E.L. Chaney Property. (Council District 12-Freiberg)
PLANNING STAFF FINDINGS: Staff certifies that the proposed request meets the minimum requirements of the UDC for Planning Commission consideration
Deferred to March 20, 8-0
[Application](#) [Staff Report](#) [Plans](#)

19. [SP-1-17] 4647 Burbank Drive (CubeSmart Self Storage): A new 3 story, over 50,000 sf mini-storage building with approximately 850 storage units on property known as Lot 3-A of the J.T. William Tract. (Council District 12-Freiberg)
PLANNING STAFF FINDINGS: Staff certifies that the proposed request meets the minimum requirements of the UDC for Planning Commission consideration
Approved 8-0
[Cover Letter](#) [Staff Report](#) [Plans](#)

20. INITIATION OF TEXT AMENDMENT: BREC NOTIFICATION
Approved 8-0
[Request](#)

COMMUNICATIONS

DIRECTOR'S COMMENTS

COMMISSIONERS' COMMENTS

ADJOURN