



MINUTES
City of Dickinson
PLANNING & ZONING COMMISSION

June 20, 2023

The Dickinson Planning and Zoning Commission met in a duly called and announced Regular Meeting on **Tuesday, June 20, 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

Vice Chairperson Deborah Fortner called the meeting to order at **6:31 P.M.**

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

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

ITEM 2.) INVOCATION

The invocation was led by Vice Chairperson Deborah Fortner.

ITEM 3.) PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Vice Chairperson Deborah Fortner.

ITEM 4.) ANNOUNCEMENTS AND PRESENTATIONS

4.A Receive a report from City staff.

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

- Recent City Council actions,
- Recent Unified Land Development Code Update actions,
- New Public Hearing Signs and Webpage,
- New Chief Building Official.

ITEM 5.) PUBLIC COMMENTS

Members of the public are invited to give comments at this time, lasting not longer than 3 minutes. Comments may be general in nature or may address a specific agenda item, and should be directed at the entire Commission, not individual members of the Commission or staff. Any speaker making personal attacks or using vulgar or profane language shall forfeit his/her remaining time and shall be seated. In compliance with the Texas Open Meetings Act, the Commission may not deliberate.

Vice Chairperson Deborah Fortner read the procedures for public comments.

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

ITEM 6.) 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.

Commissioner Phillip Lipoma requested each of the consent items be considered separately.

*6.A Consideration and possible action on approving the minutes of the **April 18, 2023** Planning and Zoning Commission regular meeting.*

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

VOTE:

4 AYES (Deborah Fortner, Phillip Lipoma, Marjorie Morgan, Amy Skicki)

1 ABSTAIN (John Harris)

0 NAYS

MOTION PASSED

*6.B Consideration and possible action on approving the minutes of the **April 24, 2023** Planning and Zoning Commission special meeting.*

Amy Skicki motioned to Recommend for approval, and John Harris seconded the motion.

VOTE:

4 AYES (Deborah Fortner, John Harris, Marjorie Morgan, Amy Skicki)

1 ABSTAIN (Phillip Lipoma)

0 NAYS

MOTION PASSED

ITEM 7.) ACTION ITEMS FOR CONSIDERATION

7.A Consideration and possible action concerning making a recommendation for City Council to adopt the Dickinson, TX Parks, Trails and Recreation Master Plan.

Ms. Jennifer Mak, Kendig Keast Collaborative Consultant, summarized the proposed Parks, Trails and Recreation Master Plan.

Vice Chairperson Deborah Fortner expressed appreciation for the objective of quiet atmospheres throughout the plan.

Ms. Jennifer Mak responded that the main topics of discussion with the community focused on safety and nature.

Commissioner Amy Skicki agreed with the previous comments.

Ms. Jennifer Mak responded that additional topics repeated by the community included security, maintenance, and lighting.

Vice Chairperson Deborah Fortner expressed the need to include additional amenities and attractions.

Commissioner Phillip Lipoma expressed concern with community need for police services and infrastructure maintenance, specifically roadways. Commissioner Lipoma questioned if parks is what the community focus should be.

Amy Skicki motioned to Recommend for approval, and Marjorie Morgan seconded the motion.

VOTE:

4 AYES (Deborah Fortner, John Harris, Marjorie Morgan, Amy Skicki)

1 ABSTAIN (Phillip Lipoma)

0 NAYS

MOTION PASSED

7.B Consideration and possible action concerning a request for Site Development approval for a C-STORE in General commercial (GC) zoning district, being approx. 3.24 acres located at 2704 DICKINSON AVE, and legally described as C-STORE AT DICKINSON AVE SUB (2022) ABST 19 RES C.

Ms. Yvonne Briscoe summarized the item.

Vice Chairperson Deborah Fortner inquired if staff had concerns regarding parking.

Ms. Yvonne Briscoe responded parking needs adjusted to meet zoning requirements. Parking requirements are reviewed when new tenants come into a shopping center. The example of restaurants, due to their increased parking requirement from other uses, could limit the ability to fill all tenant spaces. All comments provided by staff can be resolved during permitting.

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

VOTE:

5 AYES (Deborah Fortner, John Harris, Phillip Lipoma, Marjorie Morgan, Amy Skicki)

0 NAYS

MOTION PASSED

ITEM 8.) PUBLIC HEARING AND ACTION ITEMS FROM PUBLIC HEARINGS

Vice Chairperson Deborah Fortner read the procedures for public hearings.

8.A *Conduct a public hearing concerning a request to amend the official zoning map from Conventional Residential (CR) zoning district to Manufactured Home (MH) zoning district for the approx. ± 1.78 acres, located at 4401 E 36TH ST, 4403 E 36TH ST, 4405 E 36TH ST, 4407 E 36TH ST, 4409 E 36TH ST, 4411 E 36TH ST, 4402 E 35TH ST, 4404 E 35TH ST, 4406 E 35TH ST, 4408 E 35TH ST, 4410 E 35TH ST, legally described as Reserve II Menotti Special Subdivision No.2.*

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

Vice Chairperson Deborah Fortner opened the public hearing at **6:55 P.M.**

Ms. Yvonne Briscoe summarized the item.

Mr. Patrick Restivo provided the applicant presentation.

Mr. Courtland Holman, Economic Development Corporation Executive Director, expressed concern the newly adopted Comprehensive Plan has identified this area for neighborhood restoration and recommended a decrease of manufactured homes in this area. The city has a need to provide conventional residential homes and increased density.

Mr. Patrick Restivo provided the applicant rebuttal.

Vice Chairperson Deborah Fortner adjourned the public hearing at **7:05 P.M.**

8.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 Manufactured Home (MH) zoning district for the approx. ± 1.78 acres, located at 4401 E 36TH ST, 4403 E 36TH ST, 4405 E 36TH ST, 4407 E 36TH ST, 4409 E 36TH ST, 4411 E 36TH ST, 4402 E 35TH ST, 4404 E 35TH ST, 4406 E 35TH ST, 4408 E 35TH ST, 4410 E 35TH ST, legally described as Reserve II Menotti Special Subdivision No.2.*

Ms. Yvonne Briscoe provided staff recommendation for denial to amend the official zoning map from Conventional Residential (CR) zoning district to Manufactured Home (MH) zoning district. Four of the criteria considered by the Commission are not met by the request.

Vice Chairperson Deborah Fortner expressed concern that manufactured home communities are required to meet standards set by the City which would include amenities which this property does not have.

Ms. Yvonne Briscoe confirmed this is correct. The property is currently existing and operating as nonconforming uses and structures. Staff does not recommend changing from one nonconforming zoning district to another nonconforming zoning district.

Vice Chairperson Deborah Fortner stated the area contains a mix of residential uses and was not developed this way by design.

Commissioner Phillip Lipoma requested clarification of the property subject to the application.

Commissioner Marjorie Morgan inquired what the individual addresses indicate.

Ms. Yvonne Briscoe responded that the subject properties are platted as one reserve.

Commissioner John Harris inquired if recommend denial and City Council denies the request.

Ms. Yvonne Briscoe responded the property would remain nonconforming. The current zoning code provides a mechanism for replacement of manufactured homes with documentation as to the use and connection to utilities within 90 days.

Commissioner Phillip Lipoma stated if the zoning does not change, the manufactured homes may still be maintained.

Mr. Patrick Restivo stated he is familiar with the City code for nonconforming manufactured homes. There are also state regulations.

Commissioner John Harris inquired if the property owner also owned surrounding properties.

Ms. Yvonne Briscoe confirmed the applicant owns the entire block north of the subject property and a third of the block south of the subject property.

Commissioner Amy Skicki stated the property owner may continue with the property use as is. The city is looking to move in a different direction.

Commissioner John Harris added that City Council makes the final decision.

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

VOTE:

5 AYES (Deborah Fortner, John Harris, Phillip Lipoma, Marjorie Morgan, Amy Skicki)

0 NAYS

MOTION PASSED

8.C *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. ± 0.45acre property being the southern 150-ft of property located at **2308 E FM 517**, legally described as **ABST 19 PERRY & AUSTIN SUR LOTS 1,2,3,11 & 12 BLK 1 WEEKES ADDN TO DICKINSON & ADJ W PT OF BLK 1**, and for the approx. ± 0.26-acre property located at **2317 44TH ST**, legally described as **ABST 19 PERRY & AUSTIN SUR LOT 10 & W 1/2 OF LOT 9 BLK 1 WEEKES ADDN TO DICKINSON**.*

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

Vice Chairperson Deborah Fortner opened the public hearing at **7:16 P.M.**

Ms. Yvonne Briscoe summarized the item.

The applicant was not present to provide the applicant presentation.

Mr. Courtland Holman, Economic Development Corporation Director, expressed the need to allow for robust commercial development along a major corridor of the city.

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

Vice Chairperson Deborah Fortner adjourned the public hearing at **7:17 P.M.**

8.D *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. ± 0.45acre property being the southern 150 -ft of property located at 2308 E FM 517, legally described as ABST 19 PERRY & AUSTIN SUR LOTS 1,2,3,11 & 12 BLK 1 WEEKES ADDN TO DICKINSON & ADJ W PT OF BLK 1, and for the approx. ± 0.26 -acre property located at 2317 44TH ST, legally described as ABST 19 PERRY & AUSTIN SUR LOT 10 & W 1/2 OF LOT 9 BLK 1 WEEKES ADDN TO DICKINSON.*

Ms. Yvonne 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 John Harris inquired about the proposed use for the property.

Ms. Yvonne Briscoe responded that the plan is to redevelop the grocery store.

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

VOTE:

5 AYES (Deborah Fortner, John Harris, Phillip Lipoma, Marjorie Morgan, Amy Skicki)

0 NAYS

MOTION PASSED

ITEM 9.) ADJOURNMENT

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

VOTE:

5 AYES (Deborah Fortner, John Harris, Phillip Lipoma, Marjorie Morgan, Amy Skicki)

0 NAYS

MOTION PASSED

Vice Chairperson Deborah Fortner adjourned the meeting at **7:19 P.M.**

PASSED APPROVED, AND ADOPTED this 18TH DAY OF JULY 2023.

Deborah Fortner

PLANNING AND ZONING COMMISSION,
Chairperson

ATTEST:

Yvonne Briscoe

YVONNE BRISCOE,
Senior Planner