

CITY OF COLLEGE STATION  
*Home of Texas A&M University®*

**Planning & Zoning  
Commission**  
**January 2, 2014**  
*City Hall Council Chambers*  
*1101 Texas Avenue*  
*College Station, Texas*

**Workshop Meeting 6:30 PM**  
**Regular Meeting 7:00 PM**



**AGENDA**  
**PLANNING & ZONING COMMISSION**  
**WORKSHOP MEETING**  
**JANUARY 2, 2014, AT 6:30 P.M.**  
**CITY HALL COUNCIL CHAMBERS**  
**1101 TEXAS AVENUE**  
**COLLEGE STATION, TEXAS**

---

---

1. Call the meeting to order.
2. Discussion of consent and regular agenda items.
3. Discussion of Minor and Amending Plats approved by Staff.
  - Final Plat ~ Amending ~ Graham Corner Plaza Block 1 Lots 6R-2A ~ 4042 State Highway 6 South **Case # 13-00900256 (T.Rogers)**
  - Final Plat ~ Minor ~ Southland Addition Block 1 Lots 9R & 10R ~ 109 Southland Street **Case # 13-00900210 (M.Hester)**
4. Discussion of new development applications submitted to the City. [[New Development List](#)]
5. Presentation, possible action, and discussion regarding the status of items within the 2013 P&Z Plan of Work (see attached). (**J.Schubert**)
6. Presentation, discussion, and possible action regarding an update on the following items:
  - An ordinance amending the Comprehensive Plan – Future Land Use & Character Map from Suburban Commercial and Natural Areas-Reserved to General Commercial and Natural Areas-Reserved for approximately 11.4 acres for the property located at 2560 Earl Rudder Freeway South at the corner of Earl Rudder Freeway South and Harvey Mitchell Parkway. The Planning & Zoning Commission heard this item on November 21 and voted (4-0) to recommend approval. The City Council heard this item on December 12 and voted (7-0) to approve the item.
  - An ordinance amending Chapter 12, “Unified Development Ordinance,” Section 12-3.4, “Plat Review,” and Section 12-3.18, “Administrative Adjustments,” regarding title reports, tax certificates, and administrative adjustments. The Planning & Zoning Commission heard this item on December 5 and voted (5-0) to recommend approval. The City Council heard this item on December 12 and voted (7-0) to approve the item.

7. Presentation, possible action, and discussion regarding the P&Z Calendar of Upcoming Meetings.
  - Thursday, January 9, 2014 ~ City Council Meeting ~ Council Chambers ~ Workshop 6:00 p.m. and Regular 7:00 p.m. (**Liaison – Rektorik**)
  - Thursday, January 16, 2014 ~ P&Z Meeting ~ Council Chambers ~ Workshop 6:00 p.m. and Regular 7:00 p.m.
8. Discussion, review and possible action regarding the following meetings: Design Review Board, Joint Parks / Planning & Zoning Subcommittee, BioCorridor Board, BioCorridor Plan Process, 5-Year Comprehensive Plan Review Subcommittee, and Zoning District Subcommittee.
9. Discussion and possible action on future agenda items – A Planning & Zoning Member may inquire about a subject for which notice has not been given. A statement of specific factual information or the recitation of existing policy may be given. Any deliberation shall be limited to a proposal to place the subject on an agenda for a subsequent meeting.
10. Adjourn.



**AGENDA**  
**PLANNING & ZONING COMMISSION**  
**REGULAR MEETING**  
**JANUARY 2, 2014, AT 7:00 P.M.**  
**CITY HALL COUNCIL CHAMBERS**  
**1101 TEXAS AVENUE**  
**COLLEGE STATION, TEXAS**

- 
- 
1. Call meeting to order.
  2. Pledge of Allegiance.
  3. **Hear Citizens.** At this time, the Chairman will open the floor to citizens wishing to address the Commission on planning and zoning issues not already scheduled on tonight's agenda. The citizen presentations will be limited to three minutes in order to accommodate everyone who wishes to address the Commission and to allow adequate time for completion of the agenda items. The Commission will receive the information, ask city staff to look into the matter, or will place the matter on a future agenda for discussion. (A recording is made of the meeting; please give your name and address for the record.)

*All matters listed under Item 4, Consent Agenda, are considered routine by the Planning & Zoning Commission and will be enacted by one motion. These items include preliminary plans and final plats, where staff has found compliance with all minimum subdivision regulations. All items approved by Consent are approved with any and all staff recommendations. There will not be separate discussion of these items. If any Commissioner desires to discuss an item on the Consent Agenda it will be moved to the Regular Agenda for further consideration.*

4. **Consent Agenda**
  - 4.1 Consideration, possible action, and discussion on Absence Requests from meetings.
    - Jim Ross ~ January 2, 2014
  - 4.2 Consideration, possible action, and discussion to approve Meeting Minutes.
    - December 5, 2013 ~ Workshop
    - December 5, 2013 ~ Regular

**Regular Agenda**

5. Consideration, possible action, and discussion on items removed from the Consent Agenda by Commission action.

6. Public hearing, presentation, possible action, and discussion regarding a request to seek reapplication of a Comprehensive Plan Amendment to the Future Land Use & Character Map within 180 days of the denial of a previous request for approximately 5.4 acres for the property located at 1201 Norton Lane at the corner of Wellborn Road and Norton Lane. **Case #13-00900259 (M.Hester)**
7. Presentation, possible action, and discussion regarding a waiver request to Unified Development Ordinance Section 8.3.H.2 “Platting and Replatting within Older Residential Subdivisions”, and a public hearing, presentation, possible action, and discussion on a Final Plat for McCulloch’s Subdivision Lots 12R, 13R, & 14R, Block 3 being a replat of McCulloch’s Subdivision Lots 12, 13, 14, & 15, Block 3 on approximately 0.45 acres located at 1117 Phoenix Street. **Case #13-00900214 (M.Hester)**
8. Public hearing, presentation, possible action, and discussion regarding an amendment to Chapter 12, “Unified Development Ordinance,” Section 4.2, “Official Zoning Map,” of the Code of Ordinances of the City of College Station, Texas, by rezoning approximately 294 acres of R-1 B Single-Family Residential and R Rural to RS Restricted Suburban in the area of the Great Oaks Subdivision, generally bounded by the existing Great Oaks Subdivision to the west, Rock Prairie Road West to the south, Quail Run Subdivision to the north, and Holleman Drive South to the east. **Case #13-00900246 (M.Hester) (Note: Final action on this item is scheduled for the January 23, 2014 City Council Meeting - subject to change)**
9. Public hearing, presentation, possible action, and discussion regarding an ordinance amending the Comprehensive Plan – Future Land Use & Character Map from Suburban Commercial, Urban, and Natural Areas Reserved to Urban and Natural Areas Reserved for the property located at 2021 Harvey Mitchell Parkway South, generally located at the intersection of Rio Grande Boulevard and Harvey Mitchell Parkway. **Case #13-00900247 (M.Hester) (Note: Final action on this item is scheduled for the January 23, 2014 City Council Meeting - subject to change)**
10. Discussion and possible action on future agenda items – A Planning & Zoning Member may inquire about a subject for which notice has not been given. A statement of specific factual information or the recitation of existing policy may be given. Any deliberation shall be limited to a proposal to place the subject on an agenda for a subsequent meeting.
11. Adjourn.



CITY OF COLLEGE STATION  
*Planning & Development Services*

**Absence Request Form  
For Elected and Appointed Officers**

Name Jim Ross

Request Submitted on 12/9/2013

I will not be in attendance at the meeting on 1/2/2014  
for the reason specified: (Date)

Out of Town

---

---

---

---

---

Signature Jim Ross

**MINUTES**  
**PLANNING & ZONING COMMISSION**  
**Workshop Meeting**  
**December 5, 2013, 6:00 p.m.**  
**City Hall Council Chambers**  
**College Station, Texas**

---

**COMMISSIONERS PRESENT:** Mike Ashfield, Jim Ross, Bo Miles, and Brad Carrier

**COMMISSIONERS ABSENT:** Jerome Rektorik and Jodi Warner

**CITY COUNCIL MEMBERS PRESENT:** John Nichols

**CITY STAFF PRESENT:** Bob Cowell, Lance Simms, Molly Hitchcock, Jennifer Prochazka, Jason Schubert, Teresa Rogers, Morgan Hester, Jenifer Paz, Danielle Singh, Alan Gibbs, David Schmitz, Debbie Eller, David Brower, Charles Michalewicz, Brian Piscacek, Betty Vermeire, Brittany Caldwell, and Timothy Green

1. Call the meeting to order.

Chairman Ashfield called the meeting to order at 6:00 p.m.

2. Discussion of consent and regular agenda items.

There was general discussion amongst the Commission regarding Regular Agenda Item 7.

3. Discussion of Minor and Amending Plats approved by Staff.

- Final Plat ~ Minor ~ West Park Block 9 Lots 9R & 10 ~ 206 Grove Street **Case # 13-00900192 (M.Hester)**
- Final Plat ~ Amending ~ Caprock Crossing Block 1 Lots 2-3, Block 2 Lot 1, Block 3 Lot 1 ~ 950 William D. Fitch Parkway **Case # 13-00900216 (M.Robinson)**
- Final Plat ~ Minor ~ Tower Point Phase 3 Block 3 Lot 28AR ~ 943 William D. Fitch Parkway **Case # 13-00900227 (J.Paz)**
- Final Plat ~ Amending ~ Plazas at Rock Prairie Phase 3 ~ 3975 State Highway 6 South **Case # 13-00900180 (T.Rogers)**
- Final Plat ~ Minor ~ Saddlecreek Phase 3 Block 6 Lot 128R **Case # 13-00900225 (M.Hester)**

There was no discussion regarding minor and amending plats.

4. Discussion of new development applications submitted to the City. [[New Development List](#)]

There was general discussion amongst the Commission regarding new development activity in the City.

5. Presentation, possible action, and discussion regarding the status of items within the 2013 P&Z Plan of Work (see attached). **(J.Schubert)**

There was no discussion regarding the 2013 P&Z Plan of Work.

6. Presentation, discussion, and possible action regarding an update on the following items:

- An ordinance amending the Comprehensive Plan – Future Land Use & Character Map from Estate to General Commercial for approximately 5.4 acres for the property located at 1201 Norton Lane at the corner of Wellborn Road and Norton Lane. The Planning & Zoning Commission heard this item on October 17 and voted 3-1 to recommend approval. The City Council heard this item on November 14 and a motion to approve the request failed by a vote of 3-4.
- An ordinance amending the Comprehensive Plan – Future Land Use & Character Map from Institutional/Public to General Commercial for approximately 4.4 acres for the property located at 1600 University Drive East at the corner of University Drive East and Glenhaven Drive. The Planning & Zoning Commission heard this item on October 17 and voted 4-0 to recommend approval. The City Council heard this item on November 14 and voted 7-0 to approve the request.
- A rezoning of approximately 7.4 acres located at 2900 North Graham Road from PDD (Planned Development District) to BPI (Business Park Industrial). The Planning & Zoning Commission heard this item on October 17 and voted 4-0 to recommend approval. The City Council heard this item on November 14 and voted 7-0 to approve the request.
- An ordinance amending and updating the water and wastewater impact fees and associated land use assumptions and capital improvements plan. The Planning & Zoning Commission heard this item on September 19 and voted 6-0 to recommend approval. The City Council heard this item on November 14 and voted 7-0 to approve the item.
- A rezoning of approximately 4.4 acres located at 1600 University Drive East from O (Office) to GC (General Commercial). The Planning & Zoning Commission heard this item on October 17 and voted (4-0) to recommend approval. The City Council heard this item on November 26 and voted (7-0) to approve the item.

There was no discussion regarding the above-mentioned items heard by City Council.

7. Presentation, possible action, and discussion regarding the Phase 1: Existing Conditions Report of the City of College Station Community Development Master Plan. **(D.Brower/B.Piscacek)**

Executive Director Cowell introduced the item.

Community Development Analysts Piscacek and Brower gave a presentation regarding the Phase 1 of the Community Development Master Plan.

8. Presentation, possible action, and discussion regarding the P&Z Calendar of Upcoming Meetings.

- Thursday, December 12, 2013 ~ City Council Meeting ~ Council Chambers ~ Workshop 6:00 p.m. and Regular 7:00 p.m. (**Liaison – Corrier**)
- Thursday, December 19, 2013 ~ P&Z Meeting ~ Council Chambers ~ Workshop 6:00 p.m. and Regular 7:00 p.m.

Chairman Ashfield reviewed the upcoming meeting dates with the Planning and Zoning Commission.

Executive Director Cowell stated that the December 19<sup>th</sup> Planning & Zoning meeting was tentatively cancelled.

9. Discussion, review and possible action regarding the following meetings: Design Review Board, Joint Parks / Planning & Zoning Subcommittee, BioCorridor Board, BioCorridor Plan Process, 5-Year Comprehensive Plan Review Subcommittee, and Zoning District Subcommittee.

There was general discussion amongst the Commission and Staff regarding upcoming meetings.

10. Discussion and possible action on future agenda items – A Planning & Zoning Member may inquire about a subject for which notice has not been given. A statement of specific factual information or the recitation of existing policy may be given. Any deliberation shall be limited to a proposal to place the subject on an agenda for a subsequent meeting.

There was no discussion regarding future agenda items.

11. Adjourn.

The meeting was adjourned at 6:41 p.m.

**Approved:**

**Attest:**

---

Mike Ashfield, Chairman  
Planning & Zoning Commission

---

Brittany Caldwell, Admin. Support Specialist  
Planning & Development Services

**MINUTES**  
**PLANNING & ZONING COMMISSION**  
**Regular Meeting**  
**December 5, 2013, 7:00 p.m.**  
**City Hall Council Chambers**  
**College Station, Texas**

---

**COMMISSIONERS PRESENT:** Mike Ashfield, Jodi Warner, Jim Ross, Bo Miles, and Brad Corrier

**COMMISSIONERS ABSENT:** Jerome Rekotrik

**CITY COUNCIL MEMBERS PRESENT:** John Nichols and Steve Aldrick

**CITY STAFF PRESENT:** Bob Cowell, Lance Simms, Molly Hitchcock, Jennifer Prochazka, Jason Schubert, Teresa Rogers, Morgan Hester, Jenifer Paz, Danielle Singh, Alan Gibbs, Brittany Caldwell, and Timothy Green

1. **Call Meeting to Order**

Chairman Ashfield called the meeting to order at 7:00 p.m.

2. **Pledge of Allegiance**

3. **Hear Citizens**

No citizens spoke.

4. **Consent Agenda**

*All items approved by Consent are approved with any and all staff recommendations.*

4.1 Consideration, possible action, and discussion on Absence Requests from meetings.

- Jerome Rektorik ~ December 5, 2013

4.2 Consideration, possible action, and discussion to approve Meeting Minutes.

- November 19, 2013 ~ Joint Workshop with City of Bryan P&Z
- November 21, 2013 ~ Workshop
- November 21, 2013 ~ Regular

**Commissioner Miles motioned to approve Consent Agenda Items 4.1 and 4.2. Commissioner Warner seconded the motion, motion passed (5-0).**

## **Regular Agenda**

5. Consideration, possible action, and discussion on items removed from the Consent Agenda by Commission action.

No items were removed from the Consent Agenda.

6. Public hearing, presentation, possible action, and discussion on a Final Plat for the Memorial Cemetery of College Station Section M2A and M2X being a replat of Memorial Cemetery of College Station Section 2 on approximately 32.5 acres located at 3800 Raymond Stotzer Parkway, generally located at the northwest corner of the intersection of Raymond Stotzer Parkway and Harvey Mitchell Parkway South. **Case #13-00900233 (M.Hester)**

Staff Planner Hester presented the replat and recommended approval.

Chairman Ashfield opened the public hearing.

No one spoke during the public hearing.

Chairman Ashfield closed the public hearing.

**Commissioner Ross motioned to approve the replat. Commissioner Miles seconded the motion, motion passed (5-0).**

7. Public hearing, presentation, possible action, and discussion regarding an ordinance amending the Comprehensive Plan – Future Land Use & Character Map from Estate to General Commercial for the property located at 13913 FM 2154; approximately 1.3 acres generally located north of the intersection of Norton Lane and Wellborn Road. **Case #13-00900228 (M.Hester) (Note: Final action on this item is scheduled for the January 9, 2014 City Council Meeting - subject to change)**

Staff Planner Hester presented the staff report and stated that the Planning and Zoning Commission and City Council are requested to make a policy decision. At least three options for action are available as noted below:

- Accept the applicant's proposal of amending the Comprehensive Plan to General Commercial and Natural Areas-Reserved designation;
- Deny the applicant's proposal and maintain Suburban Commercial and Natural Areas-Reserved designation on the Comprehensive Plan;
- Propose an alternative land use and character designation for this property.

Glenn Jones, J4 Engineering, stated that he was available for questions.

Jane Cohen, 3655 McCullough Road, College Station, Texas; Carol Fontaine, 14380 Cheyenne Drive, College Station, Texas; Fiona Trizard, 3180 Barron Road, College

Station, Texas; Linda Hale, 4042 Cody Drive, College Station, Texas. The citizens spoke in opposition of the request and stated that the neighborhood integrity needed to be respected.

Dr. Baines, 902 Wingfoot, College Station, Texas, spoke in favor of the request.

Mr. Jones stated that additional right-of-way had been taken and utilities had been removed and expanded to accommodate the widening. He said that the intended use for the property is a church.

Chairman Ashfield closed the public hearing.

There was general discussion amongst Commission regarding the Comprehensive Plan Amendment.

**Commissioner Corrier motioned to recommend denial of the request. Commissioner Warner seconded the motion, motion passed (5-0).**

8. Public hearing, presentation, possible action, and discussion regarding an ordinance amending Chapter 12, "Unified Development Ordinance," Section 12-7.5, "Signs," of the Code of Ordinances of the City of College Station, Texas regarding sign regulations for Places of Worship. **Case #13-00900229 (T.Rogers) (Note: Final action on this item is scheduled for the January 9, 2014 City Council Meeting - subject to change)**

Staff Planner Rogers presented the ordinance amendment regarding sign regulations for Places of Worship.

There was general discussion amongst the Commission regarding the ordinance amendment.

Chairman Ashfield opened the public hearing.

Sherry Ellison, 2705 Brookway Drive, College Station, Texas, expressed concern about the signs affecting the neighborhoods.

Natalie Ruiz, 511 University Drive East, College Station, Texas, spoke in support of the ordinance amendment.

Chairman Ashfield closed the public hearing.

**Commissioner Warner motioned to recommend approval of the ordinance amendment. Commissioner Corrier seconded the motion, motion passed (5-0).**

9. Public hearing, presentation, possible action, and discussion regarding an ordinance amending Chapter 12, "Unified Development Ordinance," Section 12-3.4, "Plat Review,"

and Section 12-3.18, “Administrative Adjustment,” of the Code of Ordinances of the City of College Station, Texas regarding title reports, tax certificates, and administrative adjustments. **Case #13-00900236 (J.Schubert) (Note: Final action on this item is scheduled for the December 12, 2013 City Council Meeting - subject to change)**

Principal Planner Schubert presented the ordinance amendment regarding title reports, tax certificates, and administrative adjustments.

There was general discussion amongst the Commission regarding the amendment and the process for Nothing Further Certificates.

Chairman Ashfield opened the public hearing.

Veronica Morgan, 511 University Drive East, College Station, Texas spoke in favor of the ordinance amendment and also expressed concern regarding the process for Nothing Further Certificates.

Chairman Ashfield closed the public hearing.

**Commissioner Ross motioned to recommend approval of the ordinance amendment. Commissioner Miles seconded the motion, motion passed (5-0).**

10. Discussion and possible action on future agenda items – A Planning & Zoning Member may inquire about a subject for which notice has not been given. A statement of specific factual information or the recitation of existing policy may be given. Any deliberation shall be limited to a proposal to place the subject on an agenda for a subsequent meeting.

There was no discussion regarding future agenda items.

11. Adjourn.

The meeting was adjourned at 8:05 p.m.

**Approved:**

**Attest:**

---

Mike Ashfield, Chairman  
Planning & Zoning Commission

---

Brittany Caldwell, Admin. Support Specialist  
Planning & Development Services

**MEMORANDUM**

---

**DATE:** January 2, 2014  
**TO:** Members of the Planning & Zoning Commission  
**FROM:** Morgan Hester, Staff Planner  
**SUBJECT:** Request to Reapply for a Comprehensive Plan Amendment for 1201 Norton Lane

---

**Item:** Public hearing, presentation, possible action, and discussion regarding a request to seek reapplication of a Comprehensive Plan Amendment to the Future Land Use & Character Map within 180 days of the denial of a previous request for approximately 5.4 acres for the property located at 1201 Norton Lane at the corner of Wellborn Road and Norton Lane. **Case #13-00900259 (M. Hester)**

**Background:** On November 14, 2013, City Council denied a Comprehensive Plan Amendment request for the property located at 1201 Norton Lane and owned by Brazos Valley Church of Christ. The request proposed to amend the Future Land Use & Character Map from Estate to General Commercial.

Unified Development Ordinance Section 12-3.22.E "Limitation on Reapplication" states that "if a petition for a plan amendment is denied by the City Council, another petition for reclassification of the same property or any portion thereof shall not be considered within a period of one hundred eighty (180) days from the date of denial, unless the Planning and Zoning Commission finds that one (1) of the following factors are applicable:

1. There is a substantial change in circumstances relevant to the issues and/or facts considered during review of the application that might reasonably affect the decision-making body's application of the relevant review standards to the development proposed in the application; or
2. New or additional information is available that was not available at the time of the review that might reasonably affect the decision-making body's application of the relevant review standards to the development proposed; or
3. A new application is proposed to be submitted that is materially different from the prior application (e.g., proposes new uses or a substantial decrease in proposed densities or intensities); or
4. The final decision on the application was based on a material mistake of fact."

As provided in the attached letter, the applicant is seeking the consent of the Commission to reapply for a different designation, Suburban Commercial. If consent is provided, the applicant will submit a new application for future consideration. If denied, the applicant can reapply after the 180-day period ends.

**Attachment:**

1. Request Letter from Brazos Valley Church of Christ

December 5, 2013

Jason Schubert  
Principal Planner  
City of College Station  
P.O. Box 9960  
College Station, Texas 77842

Re.: Brazos Vally Church of Christ Comprehensive Plan Amendment  
COCS No. 13-00900259

Dear Mr. Schubert:

In accordance with the Unified Developmetn Ordiance (UDO) Section 12-3.22.E., a comprehensive plan amendment may not be requested within 180 days of a denial of the City Council of a comprehensive plan amendment request for a subject property. However, Section 12-3.22.E. states that the Planning and Zoning (P&Z) Commission may wave this requirement if one of the four following factors are applicable:

1. There is a substantial change in circumstances relevant to the issues and/or facts considered during review of the application that might reasonably affect the decision-making body's application of the relevant review standards to the development proposed in the application; or
2. New or additional information is available that was not available at the time of the review that might reasonably affect the decision-making body's application of the relevant review standards to the development proposed; or
3. A new application is proposed to be submitted that is materially different from the prior application (e.g., proposes new uses or a substantial decrease in proposed densities or intensities); or
4. The final decision on the application was based on a material mistake of fact.

Based on comments and additional information recieved during the recent City Council meeting, we believe that the subject property would be more suited for a suburban commercial zoning and would like to resubmit a new comprehensive plan amendment application as soon as possible. In accordance with Section 12-3.22.E.2 (new/additional information) and E.3 (proposed new use), we believe the P&Z Commission has the authority to allow the property owner to request a comprehensive plan amendment within 180 days of the City Council denial of the last request. Therefore, we respectfully request the P&Z Commission's approval to allow the submission of a new/different comprehensive plan amendment application within the 180-day City Council denial period.

Thank you for your consideration and we look forward to your decision.

Respectfully,



Ray Bomnskie  
Brazos Vally Church of Christ



CITY OF COLLEGE STATION

**FINAL PLAT**  
**for**  
**McCulloch's Subdivision Lots 12R,13R &14R, Block 3**  
**Being a Replat of**  
**McCulloch's Subdivision Lots 12, 13, 14, & 15, Block 3**  
**13-00900214**

**SCALE:** Three lots on approximately 0.45 acres

**LOCATION:** 1117 Phoenix Street

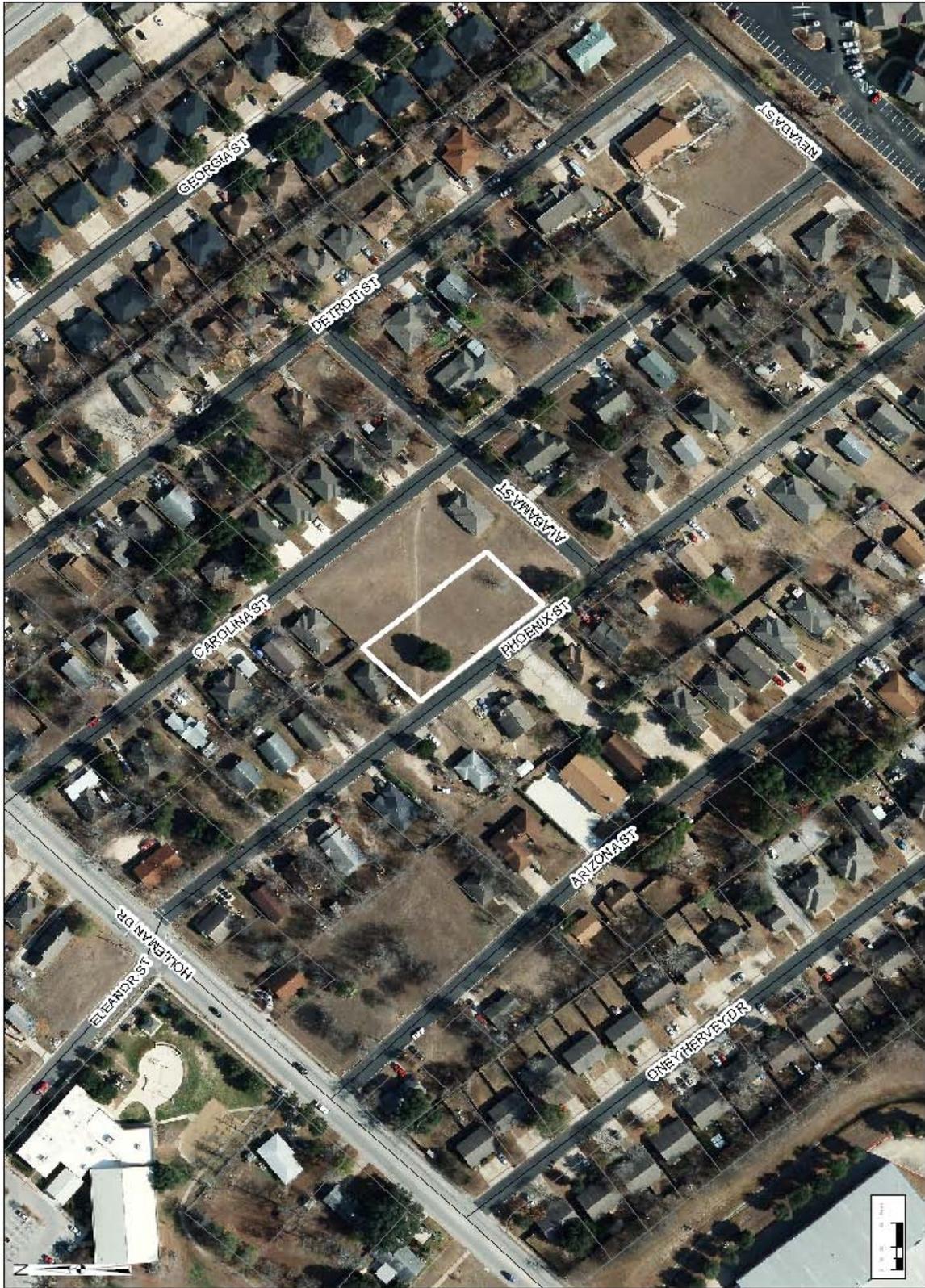
**ZONING:** GS General Suburban

**APPLICANT:** Marco Maina, Habitat for Humanity

**PROJECT MANAGER:** Morgan Hester, Staff Planner  
mhester@cstx.gov

**PROJECT OVERVIEW:** The proposed Final Plat re-plats one GS General Suburban building plot into three GS General Suburban lots. This property is located in an area designated as Neighborhood Conservation on the Comprehensive Plan and must comply with the regulations set in UDO Section 8.3.H.2. Due to the deficit in the minimum lot sizes and widths of the proposed lots, waivers are being requested through the Planning & Zoning Commission.

**RECOMMENDATION:** If the waiver requests are approved, Staff recommends approval of the Final Plat. If the waiver requests are denied, the Final Plat must be denied.



FINAL  
PLAT

Case: 13-214

1117 PHOENIX STREET

DEVELOPMENT REVIEW



## DEVELOPMENT HISTORY

<b>Annexation:</b>	March 1956
<b>Zoning:</b>	R-1 Single-Family, renamed GS General Suburban in 2013
<b>Preliminary Plat:</b>	The subject tract is considered a building plot according to Section 8.3.H.2. 'Platting and Replatting within Older Residential Subdivisions' of the Unified Development Ordinance. The original Final Plat for this property is from 1946.
<b>Site Development:</b>	Vacant

## COMMENTS

<b>Parkland Dedication:</b>	Dedication will be assessed on two newly-established single-family lots for a total of \$2,522.
<b>Greenways:</b>	No dedication is proposed or required with this plat.
<b>Pedestrian Connectivity:</b>	A 5-foot sidewalk is required with this development and is being provided.
<b>Bicycle Connectivity:</b>	No dedication is proposed or required with this plat.
<b>Impact Fees:</b>	N/A

## REVIEW CRITERIA

**Compliance with Subdivision Regulations:** For properties designated as Neighborhood Conservation on the Comprehensive Future Land Use and Character Map, Section 8.3.H.2 'Platting and Replatting within Older Residential Subdivisions' of the Unified Development Ordinance states that a plat involving a building plot created prior to June 1970, which creates an additional lot or building plot, must meet or exceed the average lot width within the block and each lot must be at least 8,500 square feet in area.

The proposed Final Plat requires waivers to Section 8.3.H.2 'Platting and Replatting within Older Residential Subdivisions' of the Unified Development Ordinance, regarding lot width requirements and lot size requirements for platting in older subdivisions. The average lot width within the subject block, bounded by Holleman Drive, Phoenix Street, Alabama Street, and Carolina Street, is approximately 85.5 linear feet. The three lots being created require the following waivers:

<b>Lot Number</b>	<b>Proposed Lot Width</b>	<b>Waiver Requested</b>
Lot 12R	66.67 square feet	18.83 square feet
Lot 13R	66.67 square feet	18.83 square feet
Lot 14R	66.66 square feet	18.84 square feet

The three lots being created require the following waivers to the 8,500 square foot lot size:

Lot Number	Proposed Lot Size	Waiver Requested
Lot 12R	6,667 square feet	1,833 square feet
Lot 13R	6,667 square feet	1,833 square feet
Lot 14R	6,667 square feet	1,833 square feet

The subject property is within the Southside Area Neighborhood Plan boundary adopted in 2012. During the Neighborhood Plan process, area neighborhood residents and property owners worked together to develop recommendations for land use. The residents and property owners in the McCulloch Subdivision also expressed their desire to see the pattern of development remain primarily as it is today with varying building plot sizes. Prior to the adoption of the Southside Area Neighborhood Plan, this area was designated as General Suburban and Urban on the Comprehensive Future Land Use and Character Map and to help ensure that the character remains compatible with the existing single-family homes in the area, a change was initiated. Through that effort, the McCulloch Subdivision is currently designated as Neighborhood Conservation on the Comprehensive Plan.

In accordance with the Subdivision Regulations, when considering a waiver, the Planning and Zoning Commission should make the following findings to approve the waiver:

- 1) That there are special circumstances or conditions affecting the land involved such that strict application of the provisions of this chapter will deprive the applicant of the reasonable use of his land;**

A special circumstance does not exist for the property due to the Southside Area Neighborhood Plan.

- 2) That the waivers are necessary for the preservation and enjoyment of a substantial property right of the applicant;**

The building plot currently allows for one structure. The property could be subdivided into two lots without necessitating waivers. Several two lot building plots exist in the block.

- 3) That the granting of the waivers will not be detrimental to the public health, safety, or welfare, or injurious to other property in the area, or to the City in administering this chapter; and**

The granting of the requested waivers will not be detrimental to the public health or safety, or welfare. Granting the waivers will not keep with the recommendation of the Southside

Area Neighborhood Plan in maintaining the lot size and width within the McCulloch Subdivision.

- 4) That the granting of the waivers will not have the effect of preventing the orderly subdivision of other land in the area in accordance with the provisions of this chapter.**

The granting of the requested waivers will not affect the future orderly subdivision of property in the area. The McCulloch Subdivision was originally platted in 1946 and some of the lots have become commonly owned, which has increased the average lot width. Additionally, the Southside Area Neighborhood Plan has recommended that the properties in this area be restricted by Section 8.3.H.2 of the Unified Development Ordinance.

### **STAFF RECOMMENDATION**

If the waiver requests are approved, Staff recommends approval of the Final Plat. If the waiver requests are denied, the Final Plat must be denied.

### **SUPPORTING MATERIALS**

1. Application
2. Copy of Final Plat



REVISED

FOR OFFICE USE ONLY	
CASE NO.:	_____
DATE SUBMITTED:	_____
TIME:	_____
STAFF:	_____

### FINAL PLAT APPLICATION

(Check one)  Minor (\$700)     Amending (\$700)     Final (\$932)     Vacating (\$932)     Replat (\$932)

Is this plat in the ETJ?  Yes  No    Is this plat Commercial  or Residential

#### MINIMUM SUBMITTAL REQUIREMENTS:

- \$700-\$932 Final Plat Application Fee (see above).
- \$233 Waiver Request to Subdivision Regulations Fee (if applicable).
- \$600 (minimum) Development Permit Application / Public Infrastructure Review and Inspection Fee. Fee is 1% of acceptable Engineer's Estimate for public infrastructure, \$600 minimum (if fee is > \$600, the balance is due prior to the issuance of any plans or development permit).
- Application completed in full. This application form provided by the City of College Station must be used and may not be adjusted or altered. Please attach pages if additional information is provided.
- Fourteen (14) folded copies of plat. (A signed mylar original must be submitted after approval.)
- Two (2) copies of the grading, drainage, and erosion control plans with supporting drainage report.
- Two (2) copies of the Public infrastructure plans and supporting documents (if applicable).
- Copy of original deed restrictions/covenants for replats (if applicable).
- Title report for property current within ninety (90) days or accompanied by a Nothing Further Certificate current within ninety (90) days. The report must include applicable information such as ownership, liens, encumbrances, etc.
- Paid tax certificates from City of College Station, Brazos County and College Station I.S.D.
- The attached Final Plat checklist with all items checked off or a brief explanation as to why they are not.

**NOTE:** A mylar of the approved preliminary plan must be on file before a final plat application will be considered complete. If the mylar is submitted with the final plat application, it shall be considered a submittal for the preliminary plan project and processed and reviewed as such. Until the mylar has been confirmed by staff to be correct, the final plat application will be considered incomplete.

Date of Optional Preapplication or Stormwater Management Conference August 12, 2013

NAME OF PROJECT Final Plat of Lots 12R, 13R & 14R, Block 3, Mcculloch's Subdivision

ADDRESS 1117 Phoenix Street

#### SPECIFIED LOCATION OF PROPOSED PLAT:

Northeast quadrant of the intersection of Phoenix and Alabama Street

#### APPLICANT/PROJECT MANAGER'S INFORMATION (Primary contact for the project):

Name Marco Maina, Executive Director E-mail property@habitatbcs.org

Street Address 119 Lake Street

City Bryan State Texas Zip Code 77801

Phone Number 979-823-7200 Fax Number 979-775-7412

PROPERTY OWNER'S INFORMATION (All owners must be identified. Please attach an additional sheet for multiple owners):

Name B/CS Habitat for Humanity E-mail property@habitatbcs.org  
Street Address 119 Lake Street  
City Byran State Texas Zip Code 77801  
Phone Number 979-823-7200 Fax Number 979-775-7412

ARCHITECT OR ENGINEER'S INFORMATION:

Name Christian A. Galindo, P.E., R.P.L.S. E-mail chris@gepinc.net  
Street Address 3833 South Texas Ave  
City Bryan State Texas Zip Code 77802  
Phone Number 979-846-8868 Fax Number 979-846-8868

Do any deed restrictions or covenants exist for this property?  Yes  No

Is there a temporary blanket easement on this property? If so, please provide the Volume \_\_\_\_\_ and Page No. \_\_\_\_\_

Total Acreage 0.4517 Total No. of Lots 3 R-O-W Acreage \_\_\_\_\_

Existing Use R-1 Proposed Use R-1

Number of Lots By Zoning District 3 / R-1 \_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_

Average Acreage Of Each Residential Lot By Zoning District:

0.153 / R-1 \_\_\_\_\_ / \_\_\_\_\_ \_\_\_\_\_ / \_\_\_\_\_ \_\_\_\_\_ / \_\_\_\_\_

Floodplain Acreage None

Is there Special Flood Hazard Area (Zone A or Zone AE on FEMA FIRM panels) on the property?  Yes  No

This information is necessary to help staff identify the appropriate standards to review the application and will be used to help determine if the application qualifies for vesting to a previous ordinance. Notwithstanding any assertion made, vesting is limited to that which is provided in Chapter 245 of the Texas Local Government Code or other applicable law.

Is this application a continuation of a project that has received prior City platting approval(s) and you are requesting the application be reviewed under previous ordinance as applicable?

Yes  
 No

If yes, provide information regarding the first approved application and any related subsequent applications (provide additional sheets if necessary):

Project Name: \_\_\_\_\_

City Project Number (if known): \_\_\_\_\_

Date / Timeframe when submitted: \_\_\_\_\_

A statement addressing any differences between the Final Plat and Preliminary Plan (if applicable):

N/A

Requested waiver to subdivision regulations and reason for same (if applicable):

Allow replatting the current 4 lots into 3 thus deviating from City's current requirements.

Regarding the waiver request, explain how:

1. There are special circumstances or conditions affecting the land involved such that strict application of the subdivision regulations will deprive the applicant of the reasonable use of his land.

*The existing 4 lots are of substandard size for current development. However their reconfiguration into 2 lots or less would demand the construction of larger homes that would in turn defeat the reason for Habitat's existence.*

2. The waiver is necessary for the preservation and enjoyment of a substantial property right of the applicant.

*B/CS Habitat for Humanity, a non-profit organization, exists for the purpose of providing affordable homes. Higher value homes would be beyond the reach of Habitat's market and would work against the final users in this market.*

3. The granting of the waiver will not be detrimental to the public health, safety, or welfare, or injurious to other property in the area, or to the City in administering subdivision regulations.

*All the infrastructure for development of the proposed 3 homes, with the exception of domestic water supply, already exists. An extension of this water line is part of the project. There will be no other changes to the existing conditions in the area. Habitat homes are single family homes. The prospective buyers are carefully selected and are keenly aware of the value of home ownership and of maintaining a good standing within the community.*

4. The granting of the waiver will not have the effect of preventing the orderly subdivision of other land in the area in accordance with the provisions of the Unified Development Ordinance.

*This is an older neighborhood in the City. The proposed replat promotes its continued orderly development in the neighborhood. An analysis of the replat, according to current requirements, indicates that the tract could be re-configured from 4 lots into 2.3 lots. Due to this fractional excess the proposed number of lots is being rounded off to 3 (three). Please see this analysis in the attached Exhibit (2 pages).*

Fee in lieu of sidewalk construction is being requested because of the following condition (if applicable):

- 1.  An alternative pedestrian way or multi-use path has been or will be provided outside the right-of-way;
- 2.  The presence of unique or unusual topographic, vegetative, or other natural conditions exist so that strict adherence to the sidewalk requirements of the UDO is not physically feasible or is not in keeping with the purposes and goals of the UDO or the City's comprehensive Plan;
- 3.  A capital improvement project is imminent that will include construction of the required sidewalk. Imminent shall mean the project is funded or projected to commence within twelve (12) months;
- 4.  Existing streets constructed to rural section that are not identified on the Thoroughfare Plan with an estate / rural context;
- 5.  When a sidewalk is required along a street where a multi-use path is shown on the Bicycle, Pedestrian, and Greenways Master Plan;

- 6.  The proposed development is within an older residential subdivision meeting the criteria in Platting and Replatting within Older Residential Subdivisions Section of the UDO; or
- 7.  The proposed development contains frontage on a Freeway / Expressway as designated by Map 6.6, Thoroughfare Plan - Functional Classification, in the City's Comprehensive Plan.

Detailed explanation of condition identified above:

NOTE: A waiver to the sidewalk requirements and fee in lieu of sidewalk construction shall not be considered at the same time by the Planning & Zoning Commission.

Requested Oversize Participation \_\_\_\_\_

<p style="text-align: center;"><b>Total Linear Footage of Proposed Public:</b></p> <p>_____ Streets</p> <p><u>200</u> Sidewalks</p> <p>_____ Sanitary Sewer Lines</p> <p><u>241</u> Water Lines</p> <p>_____ Channels</p> <p>_____ Storm Sewers</p> <p>_____ Bike Lanes / Paths</p>	<p><b>Parkland Dedication due prior to filing the Final Plat:</b></p> <p>ACREAGE: <i>NONE</i></p> <p>_____ No. of acres to be dedicated + \$ _____ development fee</p> <p>_____ No. of acres in floodplain</p> <p>_____ No. of acres in detention</p> <p>_____ No. of acres in greenways</p> <p><b>OR</b></p> <p><b>FEE IN LIEU OF LAND:</b></p> <p>_____ No. of SF Dwelling Units X \$ _____ = \$ _____</p> <p>_____ (date) Approved by Parks &amp; Recreation Advisory Board</p>
---	--

**NOTE: DIGITAL COPY OF PLAT MUST BE SUBMITTED PRIOR TO FILING.**

*The applicant has prepared this application and certifies that the facts stated herein and exhibits attached hereto are true, correct, and complete. IF THIS APPLICATION IS FILED BY ANYONE OTHER THAN THE OWNER OF THE PROPERTY, this application must be accompanied by a power of attorney statement from the owner. If there is more than one owner, all owners must sign the application or the power of attorney. If the owner is a company, the application must be accompanied by proof of authority for the company's representative to sign the application on its behalf. LIEN HOLDERS identified in the title report are also considered owners and the appropriate signatures must be provided as described above.*

 Executive Director  
Signature and title

11/21/2013  
Date

## CERTIFICATIONS REQUIRED FOR ALL DEVELOPMENT

### Owner Certification:

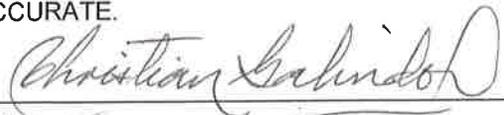
1. No work of any kind may start until a permit is issued.
2. The permit may be revoked if any false statements are made herein.
3. If revoked, all work must cease until permit is re-issued.
4. Development shall not be used or occupied until a Certificate of Occupancy is issued.
5. The permit will expire if no significant work is progressing within 24 months of issuance.
6. Other permits may be required to fulfill local, state, and federal requirements. Owner will obtain or show compliance with all necessary State and Federal Permits prior to construction including NOI and SWPPP.
7. If required, Elevation Certificates will be provided with elevations certified during construction (forms at slab pre-pour) and post construction.
8. Owner hereby gives consent to City representatives to make reasonable inspections required to verify compliance.
9. If, stormwater mitigation is required, including detention ponds proposed as part of this project, it shall be designed and constructed first in the construction sequence of the project.
10. In accordance with Chapter 13 of the Code of Ordinances of the City of College Station, measures shall be taken to insure that all debris from construction, erosion, and sedimentation shall not be deposited in city streets, or existing drainage facilities. All development shall be in accordance with the plans and specifications submitted to and approved by the City Engineer for the above named project. All of the applicable codes and ordinances of the City of College Station shall apply.
11. The information and conclusions contained in the attached plans and supporting documents will comply with the current requirements of the City of College Station, Texas City Code, Chapter 13 and associated BCS Unified Design Guidelines Technical Specifications, and Standard Details. All development has been designed in accordance with all applicable codes and ordinances of the City of College Station and State and Federal Regulations.
12. Release of plans to \_\_\_\_\_ (name or firm) is authorized for bidding purposes only. I understand that final approval and release of plans and development for construction is contingent on contractor signature on approved Development Permit.
13. I, THE OWNER, AGREE TO AND CERTIFY THAT ALL STATEMENTS HEREIN, AND IN ATTACHMENTS FOR THE DEVELOPMENT PERMIT APPLICATION, ARE, TO THE BEST OF MY KNOWLEDGE, TRUE, AND ACCURATE.

  
\_\_\_\_\_  
Property Owner(s)

11/21/2013.  
\_\_\_\_\_  
Date

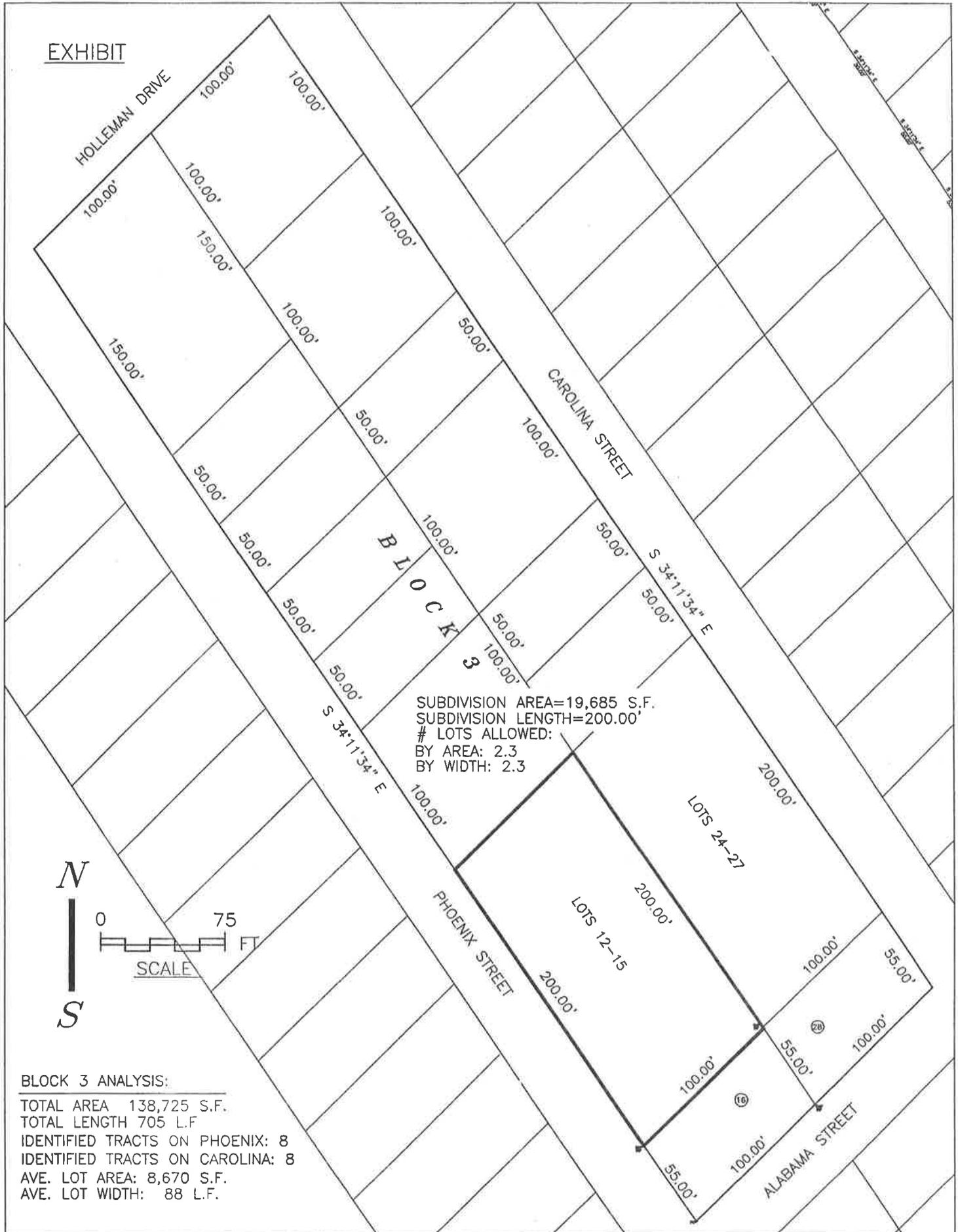
### Engineer Certification:

1. The project has been designed to ensure that stormwater mitigation, including detention ponds, proposed as part of the project will be constructed first in the construction sequence.
2. I will obtain or can show compliance with all necessary Local, State and Federal Permits prior to construction including NOI and SWPPP. Design will not preclude compliance with TPDES: i.e., projects over 10 acres may require a sedimentation basin.
3. The information and conclusions contained in the attached plans and supporting documents comply with the current requirements of the City of College Station, Texas City Code, Chapter 13 and associated BCS Unified Design Guidelines. All development has been designed in accordance with all applicable codes and ordinances of the City of College Station and State and Federal Regulations.
4. I, THE ENGINEER, AGREE TO AND CERTIFY THAT ALL STATEMENTS HEREIN, AND IN ATTACHMENTS FOR THE DEVELOPMENT PERMIT APPLICATION, ARE, TO THE BEST OF MY KNOWLEDGE, TRUE, AND ACCURATE.

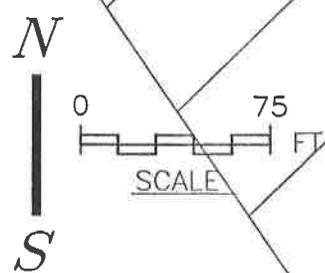
  
\_\_\_\_\_  
Engineer

OCT, 10, 2013  
\_\_\_\_\_  
Date

**EXHIBIT**



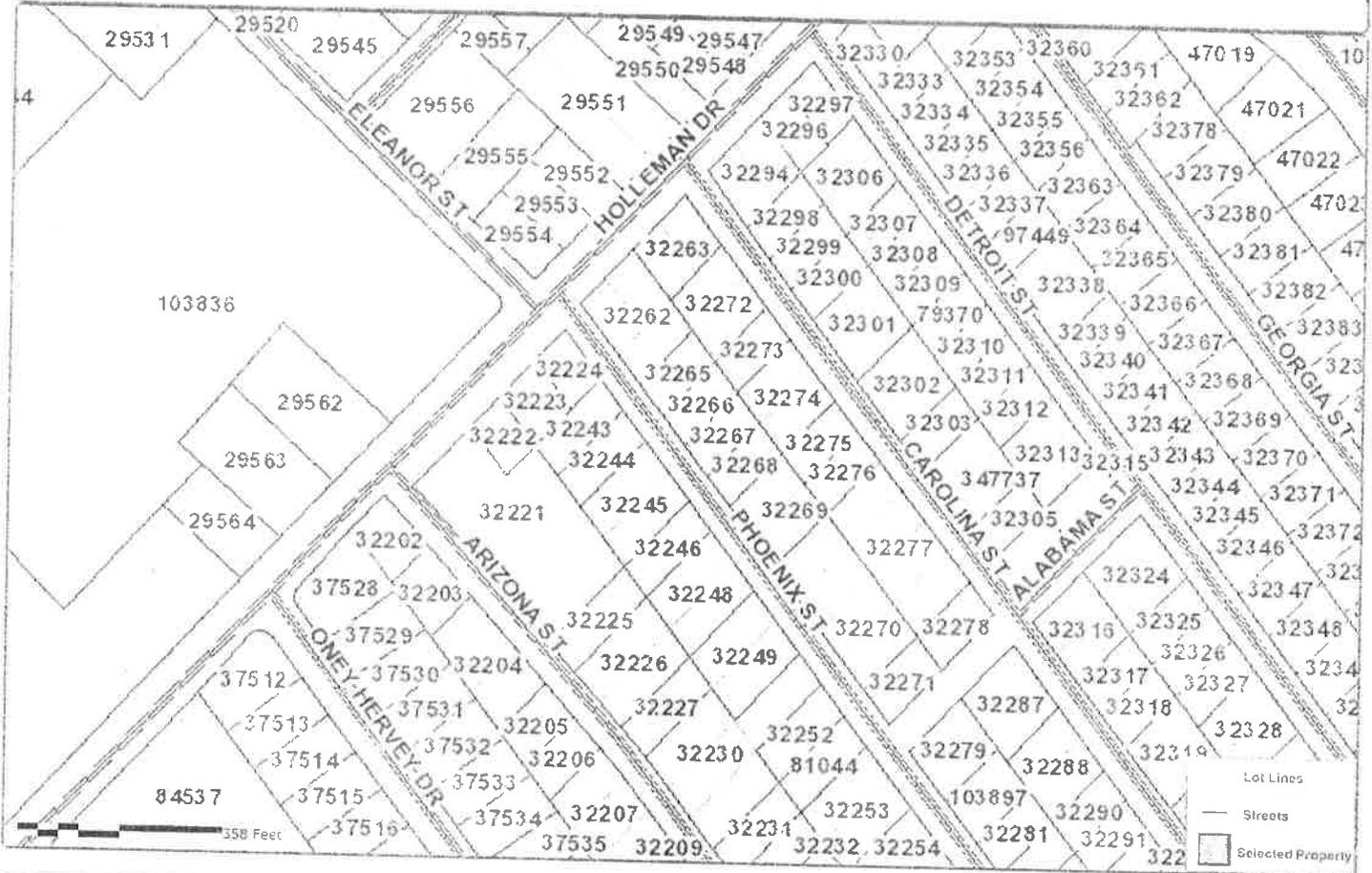
SUBDIVISION AREA=19,685 S.F.  
 SUBDIVISION LENGTH=200.00'  
 # LOTS ALLOWED:  
 BY AREA: 2.3  
 BY WIDTH: 2.3



**BLOCK 3 ANALYSIS:**  
 TOTAL AREA 138,725 S.F.  
 TOTAL LENGTH 705 L.F.  
 IDENTIFIED TRACTS ON PHOENIX: 8  
 IDENTIFIED TRACTS ON CAROLINA: 8  
 AVE. LOT AREA: 8,670 S.F.  
 AVE. LOT WIDTH: 88 L.F.

Exhibit

### Brazos CAD - Map of Property ID 32270 for Year 2013



#### Property Details

**Account**  
 Property ID: 32270  
 Geo ID: 403500-0003-0120  
 Type: Real

**Location**  
 Legal Description: MCCULLOCH (GEORGE), BLOCK 3, LOT 12-15  
 Situs Address: 1117 PHOENIX ST  
 Neighborhood: C-C#1;CS CENTRAL 1  
 Mapsco:  
 Jurisdictions: C2, CAD, G1, S2, ZRFND

**Owner**  
 Owner Name: RUSSELL RUTH L ESTATE  
 Mailing Address: % WATSON SHANTRELL ADMINISTRATOR, 1754 DANIEL CT, FAIRFIELD, CA 94533-4157

**Property**  
 Appraised Value: \$28,000.00

<https://propaccess.trueautomation.com/Map/View/Map/65/32270/2013>



Map Disclaimer: This product is for informational purposes only and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries. The Brazos County Appraisal District expressly disclaims any and all liability in connection herewith.

**CERTIFICATE OF OWNERSHIP AND DEDICATION**

STATE OF TEXAS }  
 COUNTY OF BRAZOS }

WE, BRYAN-COLLEGE STATION HABITAT FOR HUMANITY, INC.  
 REPRESENTED BY  
 OWNER OF THE LAND SHOWN HEREON AS RECORDED IN VOL. 11602, PG. 125,  
 OFFICIAL RECORDS BRAZOS COUNTY, TEXAS, AND WHICH IS DESIGNATED HEREON AS  
 THE FINAL PLAT OF LOTS 12R, 13R & 14R, BLOCK 3, McCULLOCH'S SUBDIVISION IN  
 THE CITY OF COLLEGE STATION, TX, AND WHOSE NAME IS SUBSCRIBED HEREIN,  
 HEREBY DEDICATE TO THE USE OF THE PUBLIC FOREVER ALL STREETS, ALLEYS,  
 PARKS, ENCLOSURES AND PUBLIC PLACES HEREON SHOWN FOR THE PURPOSE  
 AND CONSIDERATION HEREIN EXPRESSED. ALL SUCH DEDICATIONS SHALL  
 BE IN FEE SIMPLE UNLESS EXPRESSLY PROVIDED OTHERWISE.

OWNER  
 \_\_\_\_\_

STATE OF TEXAS }  
 COUNTY OF BRAZOS }

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED  
 \_\_\_\_\_  
 KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE  
 FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE  
 SAME FOR THE PURPOSE AND CONSIDERATION THEREIN STATED.  
 GIVEN UNDER MY HAND AND SEAL ON THIS \_\_\_\_\_ DAY OF  
 \_\_\_\_\_, 2013.

NOTARY PUBLIC, BRAZOS COUNTY, TEXAS  
 \_\_\_\_\_

**CERTIFICATE OF THE PLANNING & ZONING COMMISSION**

CHAIR OF THE PLANNING AND ZONING  
 COMMISSION OF THE CITY OF COLLEGE STATION, HEREBY CERTIFY THAT THIS PLAT WAS  
 DULY APPROVED BY THE COMMISSION ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2013.

CHAIR OF THE PLANNING AND ZONING COMMISSION  
 \_\_\_\_\_  
 ATTEST:  
 CITY SECRETARY  
 \_\_\_\_\_

**CERTIFICATE OF THE CITY ENGINEER**

CITY ENGINEER OF  
 THE CITY OF COLLEGE STATION, HEREBY CERTIFY THAT THIS SUBDIVISION PLAT  
 CONFORMS TO THE REQUIREMENTS OF THE SUBDIVISION REGULATIONS OF THE CITY  
 OF COLLEGE STATION.

CITY ENGINEER  
 \_\_\_\_\_

**CERTIFICATE OF THE COUNTY CLERK**

STATE OF TEXAS }  
 COUNTY OF BRAZOS }

\_\_\_\_\_ COUNTY CLERK, IN AND FOR  
 SAID COUNTY DO HEREBY CERTIFY THAT THIS PLAT TOGETHER WITH ITS CERTIFICATES  
 OF AUTHENTICATION WAS FILED FOR RECORD IN MY OFFICE THE \_\_\_\_\_ DAY OF  
 \_\_\_\_\_, 2013, IN THE OFFICIAL RECORDS OF  
 BRAZOS, TEXAS, IN VOLUME \_\_\_\_\_ PAGE \_\_\_\_\_  
 WITNESS MY HAND AND OFFICIAL SEAL, AT MY OFFICE IN BRYAN, TEXAS.

COUNTY CLERK, BRAZOS COUNTY, TEXAS  
 \_\_\_\_\_

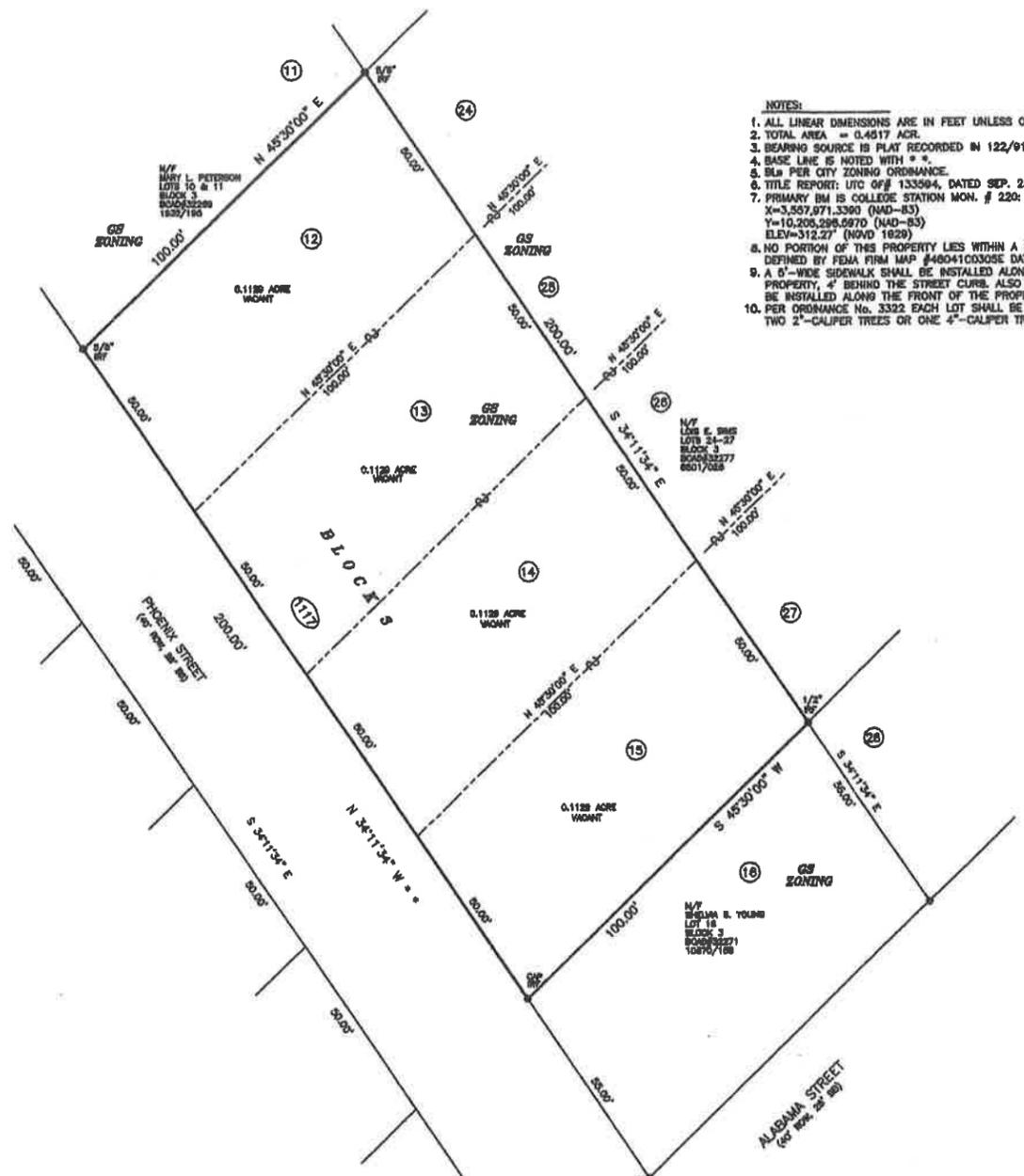
**CERTIFICATE OF SURVEYOR AND/OR ENGINEER**

I, CHRISTIAN A. GALINDO, LICENSED PROFESSIONAL ENGINEER No. 63425 AND  
 REGISTERED PROFESSIONAL LAND SURVEYOR No. 4473 IN THE STATE OF TEXAS,  
 HEREBY CERTIFY THAT THIS PLAT IS TRUE AND CORRECT AND WAS PREPARED  
 FROM AN ACTUAL SURVEY OF THE PROPERTY, THAT MARKERS AND MONUMENTS  
 WERE PLACED ON THE GROUND UNDER MY SUPERVISION, AND THAT PROPER  
 ENGINEERING PRACTICE WAS EXERCISED IN THE PREPARATION OF THIS PLAT.

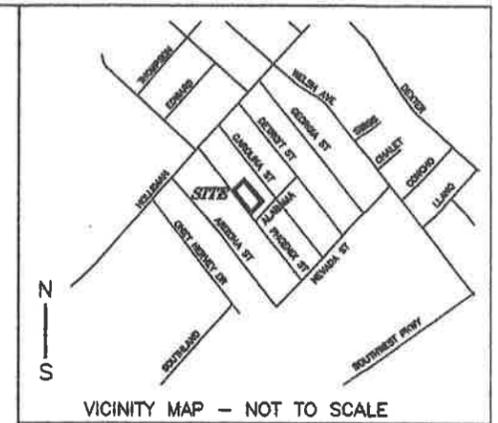
*Christian Galindo*  
 CHRISTIAN A. GALINDO, P.E., R.P.L.S.  
 DATE: DECEMBER 12, 2013



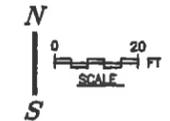
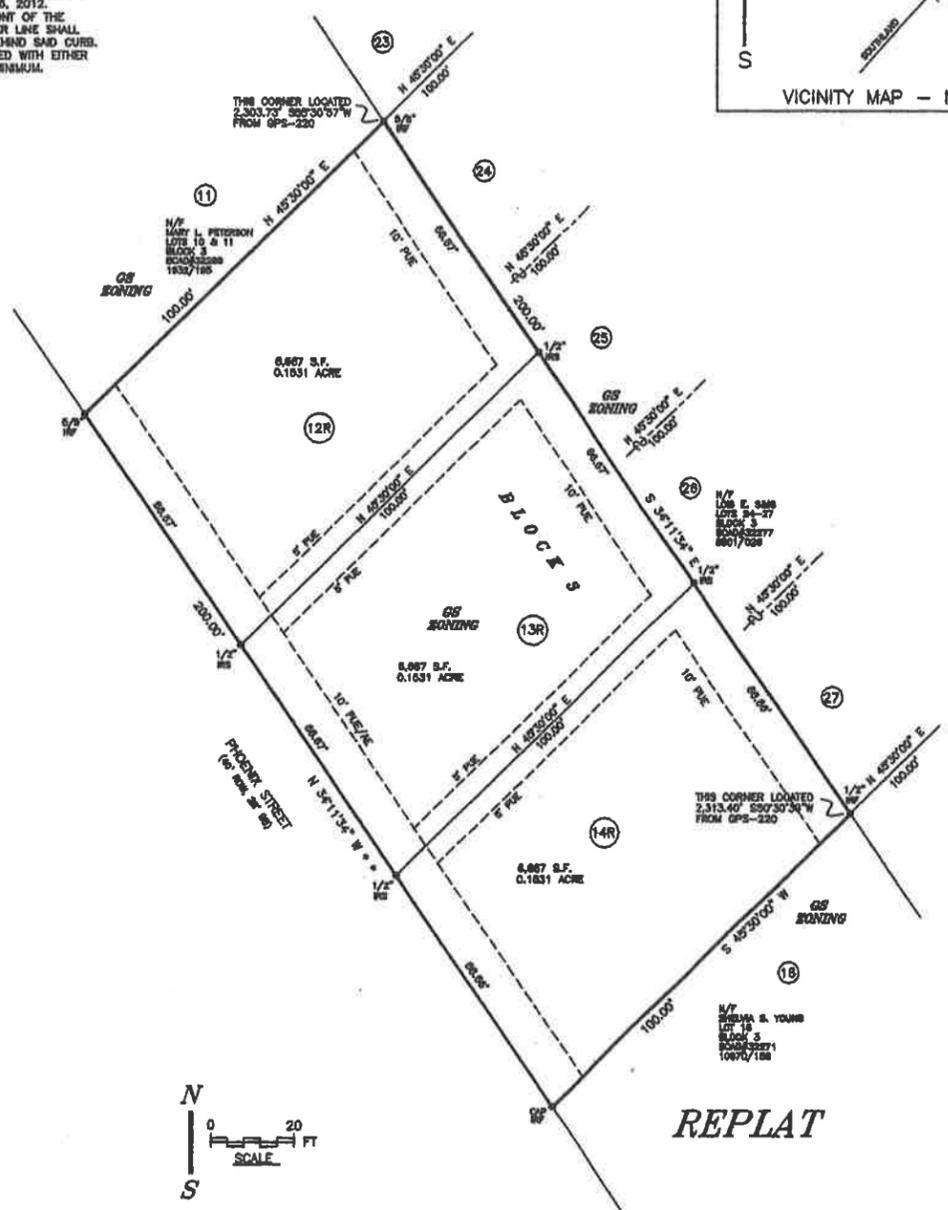
**EXISTING PLAT**  
 VOL. 122, PG. 91



- NOTES:**
1. ALL LINEAR DIMENSIONS ARE IN FEET UNLESS OTHERWISE NOTED.
  2. TOTAL AREA = 0.4517 ACR.
  3. BEARING SOURCE IS PLAT RECORDED IN 122/91.
  4. BASE LINE IS NOTED WITH \*.
  5. 5' PER CITY ZONING ORDINANCE.
  6. TITLE REPORT: LTO 07# 133594, DATED SEP. 23, 2013.
  7. PRIMARY BM IS COLLEGE STATION MON. # 220:  
 X=3,567,971.3390 (NAD-83)  
 Y=10,205,298.6970 (NAD-83)  
 ELEV=312.27' (NOVD 1929)
  8. NO PORTION OF THIS PROPERTY LIES WITHIN A 100-YR FLOOD PLAIN AS  
 DEFINED BY FEMA FIRM MAP #4804100305E DATED MAY 16, 2012.
  9. A 5'-WIDE SIDEWALK SHALL BE INSTALLED ALONG THE FRONT OF THE  
 PROPERTY, 4' BEHIND THE STREET CURB. ALSO A 6" WATER LINE SHALL  
 BE INSTALLED ALONG THE FRONT OF THE PROPERTY 3' BEHIND SAID CURB.
  10. PER ORDINANCE NO. 3322 EACH LOT SHALL BE LANDSCAPED WITH EITHER  
 TWO 2"-CALIPER TREES OR ONE 4"-CALIPER TREE AT A MINIMUM.



- LEGEND**
- BL = BOUNDARY LINE
  - BS = BOUNDARY SURVEY
  - CD = CONCRETE DRIVE
  - CS = CONCRETE SIDEWALK
  - CP = CURB
  - EP = ELECTRIC POWER
  - FP = FENCE POST
  - FS = FENCE SURVEY
  - GL = GROUND LEVEL
  - HL = HIGHWAY
  - IL = INTERSECTION
  - KL = KILN
  - LE = LEAD ELECTRIC
  - ME = MEASUREMENT
  - NE = NEIGHBORING ESTATE
  - PE = PUBLIC PLACE
  - PL = PLANT
  - PS = PUBLIC STREET
  - RS = ROAD SURVEY
  - ST = STREET
  - SW = SIDEWALK
  - TL = TELEPHONE LINE
  - UL = UNDERGROUND
  - WL = WATER LINE
  - YL = YARD LINE



**FINAL PLAT OF LOTS  
 12R, 13R & 14R, BLOCK 3  
 McCULLOCH'S SUBDIVISION**  
 0.4517-ACRE

13.214  
 12.13.13  
 SS

**ALINDO ENGINEERS AND PLANNERS, INC.**  
 3833 SOUTH TEXAS AVE., SUITE 213 BRYAN, TEXAS 77802 979-846-8868  
 FIRM LICENSES: ENGINEERING F-1799, SURVEYING 100289-00

**OWNER/DEVELOPER:**  
 JIM DAVIS, PROPERTY DIRECTOR  
 H/H HABITAT FOR HUMANITY  
 119 LAKE STREET  
 BRYAN, TX 77801  
 TEL: 979-823-7200  
 FAX: \_\_\_\_\_

**BEIGN A REPLAT OF LOTS 12, 13, 14 & 15,  
 BLOCK 3 McCULLOCH'S SUBDIVISION OF 40 ACRES  
 OF LAND OUT OF THE CRAWFORD BURNETT LEAGUE**  
 VOL. 122, PG. 91, D.R.  
 COLLEGE STATION, BRAZOS COUNTY, TEXAS

DATE: OCTOBER 11, 2013  
 DESIGNED BY: CJT  
 APPROVED BY: CAQ  
 REVISIONS: DEC. 6, 2013  
 DEC. 12, 2013

PROJECT  
**13-13**  
 SHEET  
**1 of 1**



CITY OF COLLEGE STATION

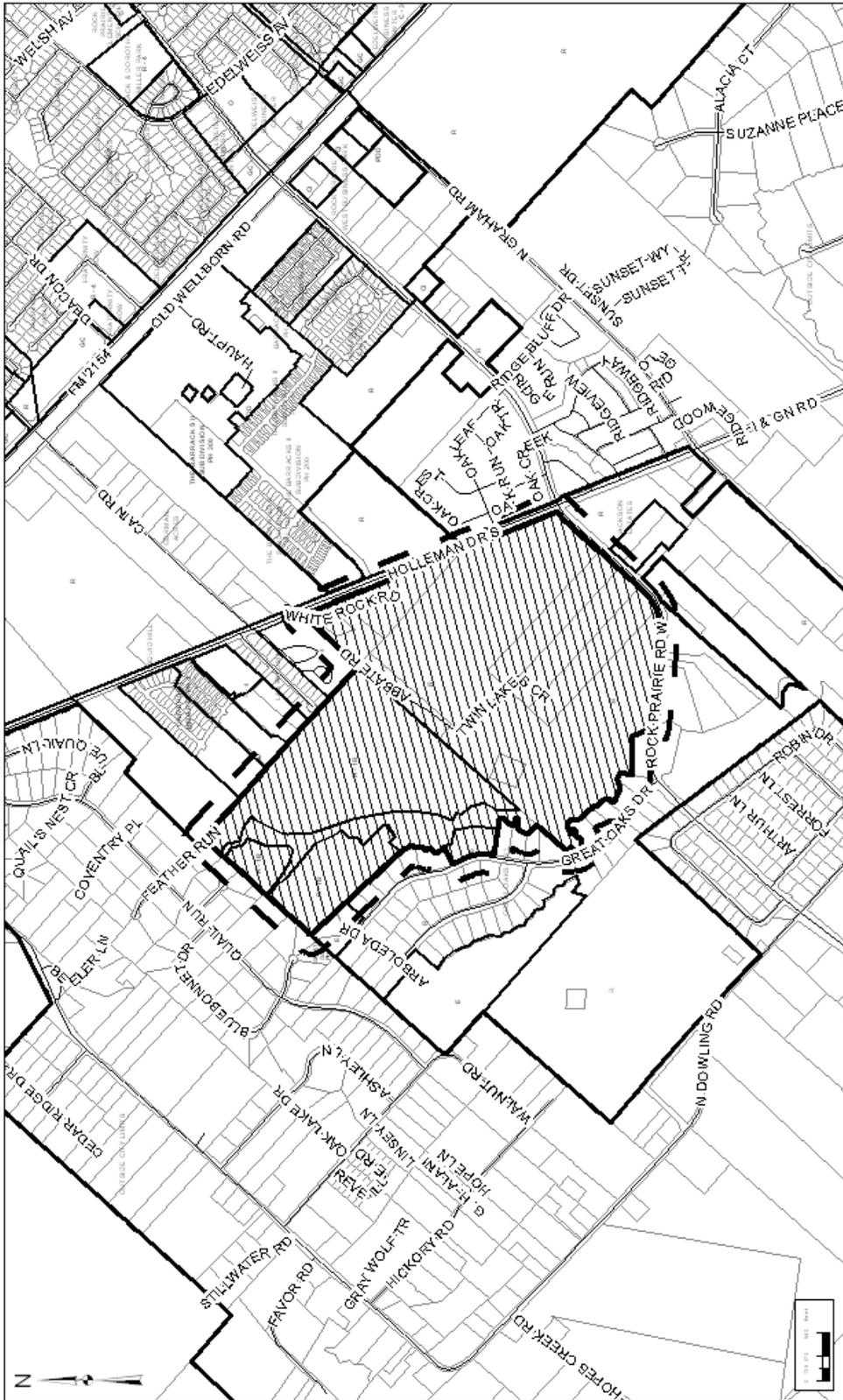
**REZONING REQUEST**  
**For**  
**Great Oaks**  
**13-00900246**

- REQUEST:** R1-B Single-Family Residential and R Rural to RS Restricted Suburban
- SCALE:** Approximately 294 acres
- LOCATION:** Great Oaks Subdivision, generally located west of Holleman Drive South and north of Rock Prairie Road West, bounded by the existing Great Oaks Subdivision to the west, Rock Prairie Road West to the South, Quail Run Subdivision to the north, and Holleman Drive South to the east.
- APPLICANTS:** Veronica Morgan, Mitchell & Morgan, LLP
- PROJECT MANAGER:** Morgan Hester, Staff Planner  
mhester@cstx.gov
- RECOMMENDATION:** Staff recommends approval of the rezoning request based on its compatibility with the Comprehensive Plan Future Land Use and Character Map.



REZONING  
 Case: 13-246  
 GREAT OAKS  
 3200 HOLLEMAN DR S  
 DEVELOPMENT REVIEW





Zoning Districts	R-4	Multi-Family	BPI	BPD	PDD
R	Rural	High Density Multi-Family	NAP	Business Park Industrial	Planned Development District
E	R-6	Manufactured Home Park	C-3	Natural Areas Protected	Wolf Pen Creek Dev. Corridor
ES	MHP	Office	M-1	Light Commercial	Core Northgate
RS	O	Suburban Commercial	M-2	Light Industrial	Transitional Northgate
GS	SC	General Commercial	C-U	College and University	Residential Northgate
R-1B	GC	Commercial Industrial	R&D	Research and Development	Corridor Overlay
D	CI	Business Park	P-MUD	Planned Mixed-Use Development	Redevelopment District
T	BP				Krenak Tap Overlay

DEVELOPMENT REVIEW	GREAT OAKS	REZONING
	3200 HOLLEMAN DR S	
	Case:	13-246

**NOTIFICATIONS**

Advertised Commission Hearing Date: January 2, 2014  
 Advertised Council Hearing Dates: January 23, 2014

The following neighborhood organizations that are registered with the City of College Station's Neighborhood Services have received a courtesy letter of notification of this public hearing:

Great Oaks HOA  
 The Barracks HOA

Property owner notices mailed: Sixty-four (64).  
 Contacts in support: None at the time of the report.  
 Contacts in opposition: None at the time of the report.  
 Inquiry contacts: None at the time of the report.

**ADJACENT LAND USES**

Direction	Comprehensive Plan	Zoning	Land Use
North (ETJ)	Rural	N/A - ETJ	Single-Family Residential - Quail Run Estates
South (Across Rock Prairie Road West)	Restricted Suburban	R Rural	Single-Family Residential, golf driving range, vacant
East	Urban, General Suburban	GS General Suburban, T Townhouse, R-4 Multi-Family, R Rural	Vacant, Las Palomas Subdivision
West	Estate, Restricted Suburban	R Rural, E Estate	Single-Family Residential - Great Oaks Phases 1 and 1B

**DEVELOPMENT HISTORY**

**Annexation:** March 2008  
**Zoning:** A-O Agricultural Open upon annexation  
 R-1B Single-Family Residential May 2008 (retired 2013)  
 A-O Agricultural Open renamed R Rural (2013)  
**Final Plat:** This property is currently unplatted  
**Site development:** Vacant

**REVIEW CRITERIA**

- 1. Consistency with the Comprehensive Plan:** The subject property is designated as Restricted Suburban on the Comprehensive Plan Future Land Use and Character Map. The proposed rezoning is consistent with this designation.

2. **Compatibility with the present zoning and conforming uses of nearby property and with the character of the neighborhood:** The proposed rezoning will allow for the development permitted in RS Restricted Suburban, both the zoning district and land use designation. This rezoning would allow for transition in the subdivision pattern found in the existing phases of the Great Oaks Subdivision adjacent to the subject area. Although the development to the north, Quail Run Estates, is located in the Extra Territorial Jurisdiction (ETJ), the large lot pattern of the subdivision is similar to that of the existing phases of Great Oaks Subdivision. Smaller lots are planned to be developed within the future phases of Great Oaks which will help transition to small lots in the Las Palomas Subdivision, University Heights, and Barracks II.
3. **Suitability of the property affected by the amendment for uses permitted by the district that would be made applicable by the proposed amendment:** Although the current zoning allows for a residential development, RS Restricted Suburban allows more flexibility in the design of the subdivision. This new residential zoning district of RS Restricted Suburban was adopted in 2013 and R-1B Single-Family Residential was retired. RS Restricted Suburban allows for detached medium-density, single-family residential development and more design options than the current zoning classification. Additionally, through cluster development, the absolute minimum permitted lot size is 6,500 square feet with an average of 10,000 square feet.
4. **Suitability of the property affected by the amendment for uses permitted by the district applicable to the property at the time of the proposed amendment:** The current zoning designation of R-1B Single-Family Residential permits development of lots with a minimum of 8,000 square feet with no minimum lot width or depth. The applicant states that they wish to cluster their development and have lot sizes that are smaller than the minimum permitted lot size in the R-1B Single-Family Residential zoning district.
5. **Marketability of the property affected by the amendment for uses permitted by the district applicable to the property at the time of the proposed amendment:** The applicant states that the existing R-1B Single-Family Residential zoning classification is not viable for their development. Additionally, they will be permitted to cluster while being sensitive to the environment within the area based on the options included in the recent zoning classification amendment.
6. **Availability of water, wastewater, stormwater, and transportation facilities generally suitable and adequate for the proposed use:** The subject tract is located in Wellborn Special Utility District's water service area. Future development of the tract will have to meet the City's minimum fire flow requirements. The subject tract has access to a 12-inch sanitary sewer main which extends to the north east property boundary. A portion of the tract is located in the Steeplechase Sanitary Sewer Impact Fee Area.

The subject tract is in the Hope's Creek drainage basin. The subject tract is not located within a FEMA regulated Special Flood Hazard Area. Future development of the tract will have to meet the requirements of the City's Storm Water Design Guidelines. The subject tract is located adjacent to Rock Prairie Road West, a 2-Lane Major Collector, to the south and Holleman Drive South, a 4-Lane Major Collector, to the east. Three future 2-Lane Minor Collectors cross the subject property; Deacon Drive, Cain Road, and Feather Run.

**STAFF RECOMMENDATION**

Staff recommends approval of the rezoning request based on its compatibility with the Comprehensive Plan Future Land Use and Character Map.

**SUPPORTING MATERIALS**

1. Application
2. Rezoning map



FOR OFFICE USE ONLY	
CASE NO.:	<u>13240</u>
DATE SUBMITTED:	<u>11.06.13</u>
TIME:	<u>9:55</u>
STAFF:	<u>[Signature]</u>

## ZONING MAP AMENDMENT (REZONING) APPLICATION GENERAL

<b>MINIMUM SUBMITTAL REQUIREMENTS:</b>	
<input checked="" type="checkbox"/>	\$1,165 Rezoning Application Fee.
<input checked="" type="checkbox"/>	Application completed in full. This application form provided by the City of College Station must be used and may not be adjusted or altered. Please attach pages if additional information is provided.
<input checked="" type="checkbox"/>	Traffic Impact Analysis or calculations of projected vehicle trips showing that a TIA is not necessary for the proposed request.
<input checked="" type="checkbox"/>	One (1) copy of a fully dimensioned map on 24" x 36" paper showing: <ol style="list-style-type: none"> <li>a. Land affected;</li> <li>b. Legal description of area of proposed change;</li> <li>c. Present zoning;</li> <li>d. Zoning classification of all abutting land; and</li> <li>e. All public and private rights-of-way and easements bounding and intersecting subject land.</li> </ol>
<input checked="" type="checkbox"/>	Written legal description of subject property (metes & bounds or lot & block of subdivision, whichever is applicable).
<input checked="" type="checkbox"/>	A CAD (dxf/dwg) - model space State Plane NAD 83 or GIS (shp) digital file (e-mailed to P&DS_Digital_Submittal@cstx.gov).
<p><b>NOTE:</b> If a petition for rezoning is denied by the City Council, another application for rezoning shall not be filed within a period of 180 days from the date of denial, except with permission of the Planning &amp; Zoning Commission.</p>	

Date of Optional Preapplication Conference August 2013

NAME OF PROJECT Great Oaks Subdivision

ADDRESS N/A

LEGAL DESCRIPTION (Lot, Block, Subdivision) N/A

GENERAL LOCATION OF PROPERTY, IF NOT PLATTED:  
Bounded by the existing Great Oaks Subdivision on the west, Rock Prairie Road on the south, existing Quail Run subdivision on the north and Holleman Drive on the east.

TOTAL ACREAGE 294 acres

**APPLICANT/PROJECT MANAGER'S INFORMATION (Primary contact for the project):**

Name Mitchell & Morgan, LLP c/o Veronica Morgan E-mail v@mitchellandmorgan.com

Street Address 511 University Dr East Suite 204

City College Station State Texas Zip Code 77840

Phone Number 979-260-6963 Fax Number 979-260-3564

**PROPERTY OWNER'S INFORMATION:**

Name BCS Rock Prairie LP c/o Clint Cooper E-mail ccooper@caidwellcos.com

Street Address 1700 Research Parkway, Suite 110

City College Station State TX Zip Code 77845

Phone Number 979-260-7000 Fax Number \_\_\_\_\_

OTHER CONTACTS (Please specify type of contact, i.e. project manager, potential buyer, local contact, etc.):

Name McClure & Browne c/o Jeff Robertson E-mail jeffr@mcclurebrowne.com  
Street Address 1008 Woodcreek Drive Suite 103  
City College Station State TX Zip Code 77845  
Phone Number 979-693-3838 Fax Number \_\_\_\_\_

This property was conveyed to owner by deed dated see attached info sheet and recorded in Volume \_\_\_\_\_, Page \_\_\_\_\_ of the Brazos County Official Records.

Existing Zoning R-1B & R-Rural Proposed Zoning RS - Restricted Suburban

Present Use of Property Vacant

Proposed Use of Property Single Family Residential

#### REZONING SUPPORTING INFORMATION

1. List the changed or changing conditions in the area or in the City which make this zone change necessary.

*See attached supplemental information sheet.*

2. Indicate whether or not this zone change is in accordance with the Comprehensive Plan. If it is not, explain why the Plan is incorrect.

*Yes this zone change is in accordance with the Comprehensive Plan.*

3. How will this zone change be compatible with the present zoning and conforming uses of nearby property and with the character of the neighborhood?

*The RS - Restricted Suburban zoning district is the district of choice when stepping up or down between the E-Estate, GS - General Suburban and U - Urban zoning districts, which encompass this area. RS is the closest zoning district to the current R-1B zoning, but it allows the cluster development which will help in making the transition between E - Estate, GS - General Suburban & U - Urban districts. The design flexibility allowed within the clustering option lends itself to an environmentally sensitive design incorporating the large creeks and natural areas contained in the property.*

4. Explain the suitability of the property for uses permitted by the rezoning district requested.

*The property is situated in a unique area of College Station with its mixture of surrounding densities and unique topography. The rural developments of Quail Run & existing Great Oaks Subdivisions surround this property on 2 sides. The remaining boundaries consist of a mix of suburban densities such as Las Palomas Subdivision, Rolling Ridge Mobile Home Park, the Barracks and the Cain Road duplexes. The significant difference in densities and types of these developments justify a residential zoning district which can span and coexist between the variety of these existing developments.*

5. Explain the suitability of the property for uses permitted by the current zoning district.

*The current zoning district, R-1B is suitable for the area but we now have the availability of a zoning district with similar lot sizes to R-1B but with much more design flexibility. This allows the design to work with the topography of the property within its cluster development dimensional standards. The R - Rural zoning district on the remainder of the property is not in compliance with the city Land Use Plan.*

6. Explain the marketability of the property for uses permitted by the current zoning district.

*As discussed above, the ability to layout and market this property as R-1B without the benefits of the dimensional standards flexibility is not extremely viable.*

7. List any other reasons to support this zone change.

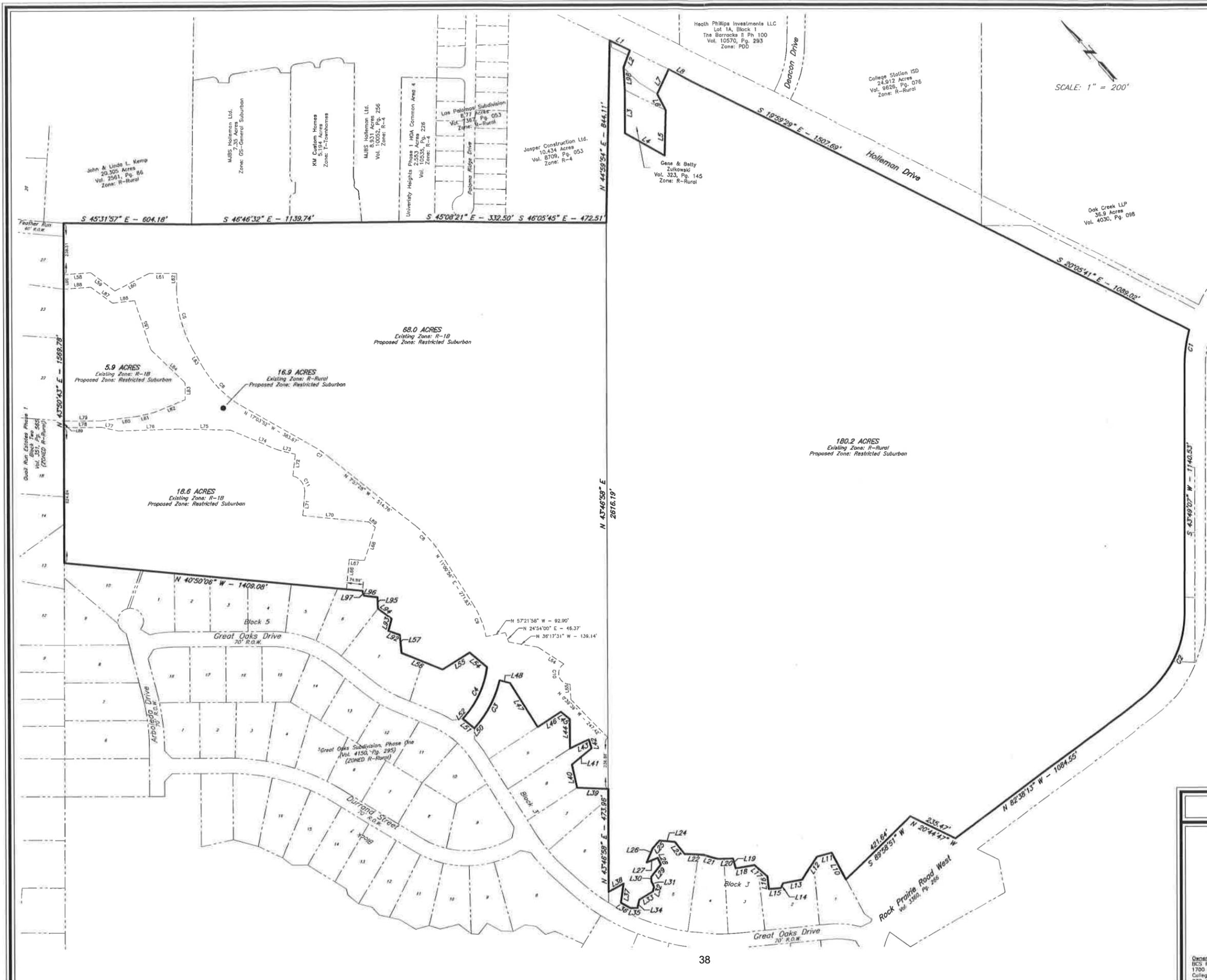
*The applicant has prepared this application and certifies that the facts stated herein and exhibits attached hereto are true, correct, and complete. IF THIS APPLICATION IS FILED BY ANYONE OTHER THAN THE OWNER OF THE PROPERTY, this application must be accompanied by a power of attorney statement from the owner. If there is more than one owner, all owners must sign the application or the power of attorney. If the owner is a company, the application must be accompanied by proof of authority for the company's representative to sign the application on its behalf.*

Signature and title

*[Handwritten Signature]* VP

Date

*11.6.13*



SCALE: 1" = 200'

LINE	BEARING	DISTANCE	LINE	BEARING	DISTANCE	LINE	BEARING	DISTANCE
L1	S 19°54'42" E	104.20'	L23	N 42°31'08" W	81.38'	L42	N 29°02'33" E	42.41'
L2	S 62°54'20" W	85.82'	L24	N 51°20'00" E	72.78'	L43	N 71°24'26" W	89.87'
L3	S 45°49'04" W	109.42'	L25	N 42°02'43" W	25.28'	L44	N 48°51'04" E	135.24'
L4	S 18°32'58" E	210.00'	L26	S 84°58'00" W	49.07'	L45	N 02°38'11" W	53.14'
L5	N 45°11'04" E	210.00'	L27	S 66°59'24" W	71.42'	L46	N 78°43'42" W	129.87'
L6	N 81°18'20" W	71.42'	L28	S 89°05'13" E	54.87'	L47	N 11°48'18" E	291.97'
L7	N 80°20'20" E	126.82'	L29	S 18°49'20" W	34.51'	L48	N 20°17'55" W	49.25'
L8	N 19°35'44" E	124.06'	L30	S 82°50'38" W	72.32'	L49	S 89°32'08" W	11.84'
L9	N 19°38'40" E	139.78'	L31	S 41°35'10" W	39.31'	L50	N 70°21'57" W	78.06'
L10	N 01°19'20" W	71.42'	L32	S 17°54'32" W	28.82'	L51	N 89°32'08" E	14.88'
L11	S 77°01'10" W	126.20'	L33	S 59°10'50" W	22.07'	L52	N 81°17'44" W	106.82'
L12	N 58°34'54" W	92.87'	L34	N 77°53'13" W	74.11'	L53	N 77°51'53" W	150.00'
L13	S 70°02'18" W	24.87'	L35	S 50°10'56" W	36.95'	L54	N 24°28'36" W	205.77'
L14	N 37°29'58" E	58.99'	L36	N 46°28'24" W	33.37'	L55	N 38°08'33" E	84.58'
L15	N 48°43'38" W	79.43'	L37	N 51°53'51" E	88.38'	L56	N 50°17'13" W	130.24'
L16	N 37°29'58" E	58.99'	L38	N 34°37'48" W	78.88'	L57	N 92°17'15" W	142.17'
L17	N 48°43'38" W	79.43'	L39	N 43°46'18" W	143.43'	L58	N 72°48'18" W	179.25'
L18	N 50°48'20" W	60.71'	L40	N 30°49'19" E	108.58'	L59	N 49°13'02" W	129.41'
L19	N 28°01'04" E	47.10'	L41	S 30°49'19" E	108.58'	L60	N 43°46'38" E	70.50'
L20	N 47°47'20" W	68.64'	L42	S 82°51'13" E	118.80'	L61	N 13°43'11" E	97.61'
L21	N 32°56'04" W	70.58'						

LINE	BEARING	DISTANCE	LINE	BEARING	DISTANCE
L62	N 12°44'15" E	145.18'	L64	S 2°35'34" E	220.96'
L63	N 40°33'07" E	71.09'	L65	S 25°29'00" W	240.00'
L64	S 49°09'54" W	130.80'	L66	S 52°27'56" E	104.70'
L65	N 47°20'34" W	38.83'	L67	S 10°27'56" E	128.55'
L66	S 82°05'25" W	155.97'	L68	S 50°05'58" E	130.30'
L67	S 71°18'04" E	30.82'	L69	S 43°50'43" W	31.06'
L68	S 40°50'08" E	312.48'	L70	S 43°50'43" W	66.43'
L69	S 47°00'54" W	109.00'	L71	N 28°08'34" W	56.18'
L70	S 50°01'33" W	100.00'	L72	N 59°09'57" E	57.42'
L71	S 37°08'48" E	85.80'	L73	N 9°33'55" W	78.40'
L72	S 23°53'12" E	236.83'	L74	N 41°53'11" E	52.46'
L73	S 44°53'28" E	243.81'	L75	N 38°28'49" W	61.04'
L74	S 47°57'38" E	279.44'	L76	N 27°14'58" E	23.21'
L75	N 34°12'14" W	82.04'	L77	S 40°30'22" W	104.96'
L76	S 46°09'17" E	180.20'			
L77	N 45°58'54" W	180.22'			
L78	N 63°08'36" W	187.08'			
L79	N 58°43'13" W	80.38'			
L80	N 06°10'31" W	158.48'			
L81	S 43°48'58" W	78.78'			

CURVE	DELTA	RADIUS	LENGTH	TANGENT	CHORD BEG.	CHORD END.	CHORD DIST.
C1	160°11'15"	300.00'	167.77'	84.44'	S 51°48'49" W	187.22'	
C2	57°52'36"	500.00'	467.26'	252.26'	S 70°35'27" W	450.44'	
C3	27°49'43"	500.00'	242.85'	123.87'	S 71°37'18" W	240.47'	
C4	32°48'19"	430.00'	253.71'	130.87'	N 68°37'58" E	250.04'	
C5	30°37'47"	570.00'	298.08'	153.07'	S 28°45'34" W	285.85'	
C6	30°47'03"	500.00'	288.64'	137.65'	S 1°49'21" E	285.42'	
C7	9°08'24"	500.00'	79.47'	39.82'	N 12°30'40" W	78.36'	
C8	18°58'24"	550.00'	182.13'	91.91'	N 13°14'44" E	181.30'	
C9	21°37'05"	430.00'	182.24'	82.10'	N 21°49'28" E	181.28'	
C10	13°11'51"	30.60'	133.88'	202.88'	S 27°11'02" W	97.20'	
C11	88°11'03"	74.87'	184.71'	42.88'	N 9°04'22" E	98.57'	

**RE-ZONING MAP**

**GREAT OAKS SUBDIVISION**  
 289.2 Acres out of 12.00.13  
 JAMES ERWIN SURVEY, A-119  
 BRAZOS COUNTY, TEXAS  
 Submitted: NOVEMBER 2013

SCALE: 1" = 200'

Owner: BCS Rock Prairie, LP  
 1700 Research Pkwy Ste 110  
 College Station, TX 77845  
 979-462-7000

Prepared by: McClure & Browne Engineering/Surveying, Inc.  
 1008 Woodcrest Dr., Suite 103  
 College Station, Texas 77845  
 (979) 683-3838



## CITY OF COLLEGE STATION

### **COMPREHENSIVE PLAN AMENDMENT FOR Harvey Mitchell Parkway South & Rio Grande Boulevard 13-00900247**

- REQUEST:** Suburban Commercial, Urban, and Natural Areas Reserved to Urban and Natural Areas Reserved
- SCALE:** Approximately 7.3 acres
- LOCATION:** 2021 Harvey Mitchell Parkway South, generally located across from the intersection of Rio Grande Boulevard and Harvey Mitchell Parkway South adjacent to the City of College Station electric substations
- APPLICANT:** Veronica Morgan, Mitchell & Morgan, LLP
- PROJECT MANAGER:** Morgan Hester, Staff Planner  
mhester@cstx.gov
- PREVIOUS ACTIONS:** Prior to this request, the following cases on this property were heard by the Planning & Zoning Commission and City Council:
- November 2007 – Comprehensive Plan Amendment from Institutional and Floodplain & Streams to Planned Development District and Floodplain & Streams. No official action was taken.
  - November 2008 – A Preliminary Plat was approved for four lots on approximately 8.255 acres, included in this property
- RECOMMENDATION:** The Planning & Zoning Commission and City Council are requested to make a policy decision. At least three options for action are available as noted below:
- Approval – Accept the applicant’s proposal of amending the Comprehensive Plan to a Urban and Natural Areas Reserved designation;
  - Denial – The property will remain Suburban Commercial, Urban, and Natural Areas Reserved as currently designated on the Comprehensive Plan;
  - Propose an alternative land use and character designation for the subject property.

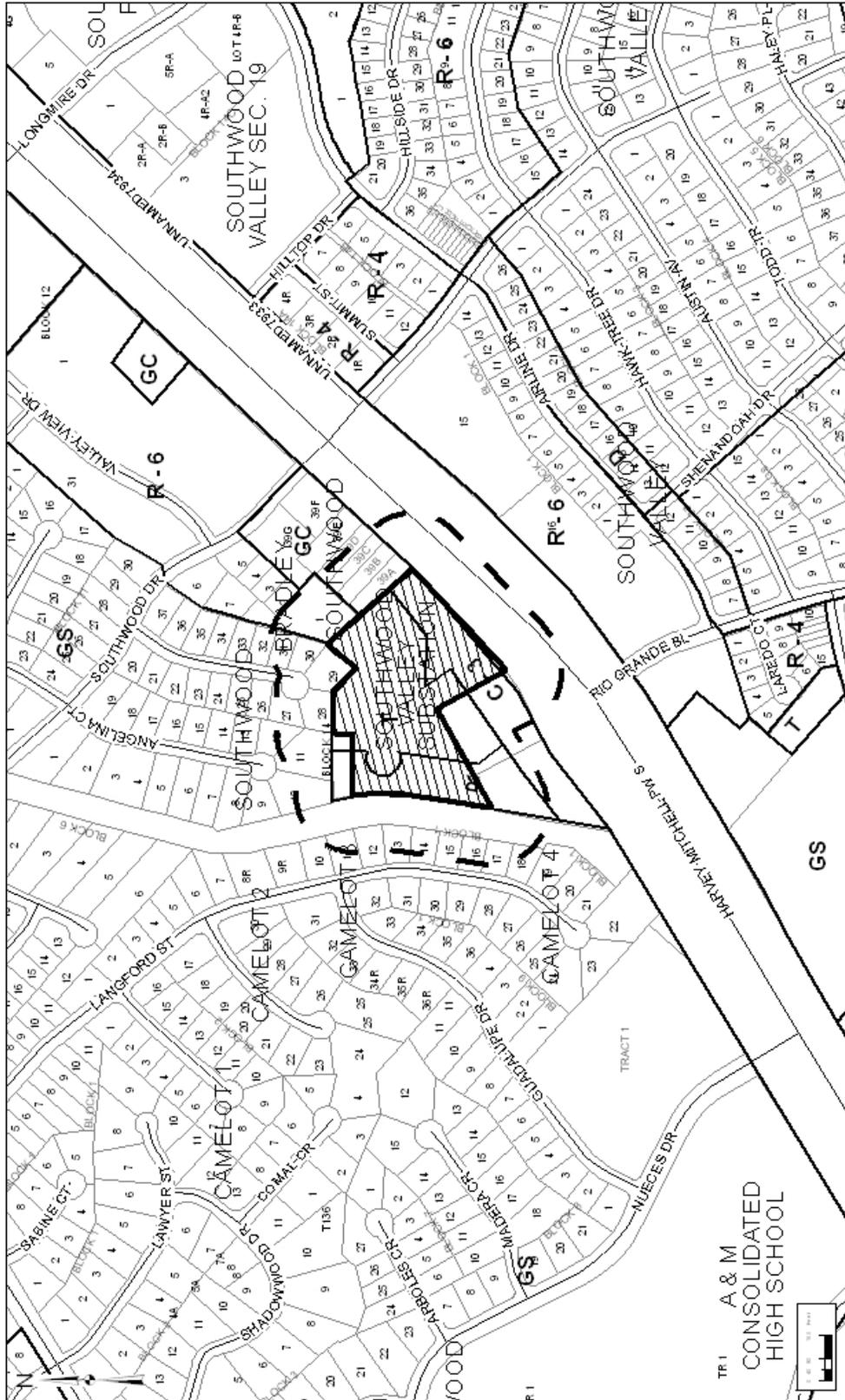


Case: 13-247  
 COMP PLAN AMENDMENT

2021 HARVEY MITCHELL PKWY S

DEVELOPMENT REVIEW





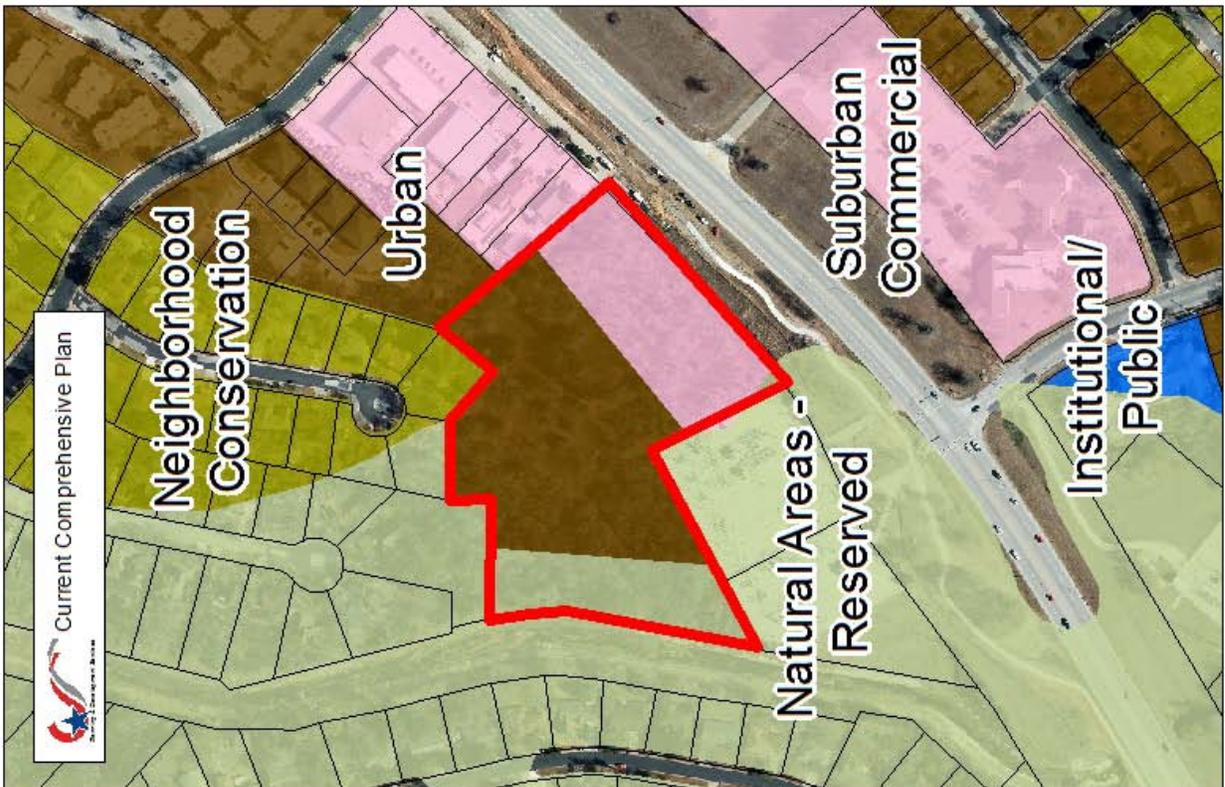
Zoning Districts	R-4	Multi-Family	BPI	Business Park	PDD	Planned Development District
R	Rural	High Density Multi-Family	NAP	Natural Areas Protected	WPC	W off Pen Creek Dev. Corridor
E	High Density Multi-Family	Manufactured Home Park	C-3	Light Commercial	NG-1	Core Northgate
RS	Office	Office	M-1	Light Industrial	NG-2	Transitional Northgate
GS	Suburban Commercial	Suburban Commercial	M-2	Heavy Industrial	NG-3	Residential Northgate
R-1B	General Commercial	General Commercial	C-U	College and University	OV	Corridor Overlay
D	Commercial-Industrial	Commercial-Industrial	R & D	Research and Development	RDD	Redevelopment District
T	Business Park	Business Park	P-MUD	Planned Mixed-Use Development	KO	Krenek Tap Overlay

**DEVELOPMENT REVIEW**

2021 HARVEY MITCHELL PKWY S

Case: 13-247

**COMP PLAN AMENDMENT**



**NOTIFICATIONS**

Advertised Commission Hearing Date: January 2, 2014  
 Advertised Council Hearing Dates: January 23, 2014

The following neighborhood organizations that are registered with the City of College Station's Neighborhood Services have received a courtesy letter of notification of this public hearing:

Augustine-Angelina HOA  
 Lawyer Place HOA

Property owner notices mailed: Twenty-six (26).  
 Contacts in support: None at the time of this report.  
 Contacts in opposition: None at the time of this report.  
 Inquiry contacts: None at the time of this report.

The applicant and developer held a meeting on December 11, 2013 at the City of College Station Fire Station #3 in which nearby property owners were invited. Six residents representing four households were present. Some of the residents expressed concerns about potential flooding, additional traffic, and lighting as a result of the proposed development. There were also concerns regarding buffering requirements between the development and single-family residences.

**ADJACENT LAND USES**

Direction	Comprehensive Plan	Zoning	Land Use
North	Natural Areas Reserved, Neighborhood Conservation	GS General Suburban	Single-Family Residences
South (across Harvey Mitchell Parkway)	Suburban Commercial	R-6 High-Density Multi-Family	Peace Lutheran Church, Friends Congregational Church
East	Urban, Suburban Commercial	R-6 High-Density Multi-Family, GC General Commercial	Multi-Family development, commercial businesses
West	Natural Areas Reserved	R Rural, C-3 Light Commercial	Vacant, City of College Station Electrical Substation

**DEVELOPMENT HISTORY**

**Annexation:** May 1969  
**Zoning:** R-3 Townhome 1978  
 Currently zoned R Rural, T Townhome, and C-3 Light Commercial  
**Final Plat:** Unplatted  
**Site development:** Vacant

**REVIEW CRITERIA**

**1. Changed or changing conditions in the subject area or the City:** The applicant has stated that the Suburban Commercial designation along the frontage of the property has made it difficult for the property to sell and develop. In communication with the applicant,

the stated intent is to develop townhouse-style apartments on the site not to exceed 30 dwelling units per acre, the maximum density allowed in R-6 High-Density Multi-Family zoning district. Other than developer-stated market opportunities, there appears to be no change in conditions in the subject area that would invalidate the current land use and character designations for the area.

As designated by the Comprehensive Plan, this area is designated as an area of future study for neighborhood plans. In September 2013, the South Knoll Area Neighborhood was adopted. Through this effort, the neighborhood worked with Staff and recommended that any change to the land use of this area be discussed prior to moving forward through Planning & Zoning and the City Council. The applicant met with area residents on December 11, 2013 to discuss future plans for the property.

2. **Scope of the request:** This request is to amend the Comprehensive Plan Future Lane Use and Character Map designations on this property from Suburban Commercial, Urban, and Natural Areas Reserved to Urban and Natural Areas Reserved. This amendment will eliminate Suburban Commercial on this tract and enlarge the Urban land use while reducing the Natural Areas Reserved.

Through the South Knoll Area Neighborhood Plan adopted in 2013, this property was identified as an area that the current zoning and land use designations were in conflict with one another. A City-initiated Comprehensive Plan Amendment was proposed in order to revise the land use on the subject property to be more synonymous with the zoning. Prior to the adoption of the Plan, the property owner indicated that they would not be interested in the proposed amendment.

3. **Availability of adequate information:** R-6 High-Density Multi-Family is the maximum density for the proposed development on the site. The existing water/waste water facilities are able to support a single-family neighborhood of densities comparable to that which already exist in the area. More intense development would need to be reviewed further.

Staff can determine trips generated by the proposed land use to assess the traffic impact. In addition, Staff has 2009 TxDOT traffic counts on Harvey Mitchell Parkway (FM 2818). Harvey Mitchell Parkway South has a capacity of approximately 40,000 VPD. A traffic impact analysis may be required at the time of rezoning to propose any necessary mitigation due to the additional traffic. The change in land use designation is not expected to generate significantly more trips than the current land use designation. At the time of rezoning, a determination will be made if a Traffic Impact Analysis is necessary.

4. **Consistency with the goals and strategies set forth in the Plan:** The goal for College Station's Future Lane Use and Character is to create a community with strong, unique neighborhoods, protected rural areas, special districts, distinct corridors, and a protected and enhanced natural environment.

Relevant Strategies identified in the Plan to achieve this goal include:

- Establish and protect distinct boundaries between various character areas:
  - The existing land use designation acts as a transitional buffer from Harvey Mitchell Parkway South to Neighborhood Conservation areas.
  - Natural Areas – Reserved allows for protection of Bee Creek in this area as well as a wide buffer from the adjacent neighborhoods.

- Promote public and private development and design practices that ensure distinct neighborhoods, districts, and corridors:
  - The South Knoll Area Neighborhood Plan was designated as an area for further study. In 2013, a Plan was adopted to enhance the area's character. To that end, the Plan established the following goals and reinforced neighborhood integrity and community character:
    - Reduce character impact of high-density housing in the neighborhood;
    - Continue investment in and maintenance of area schools, parks, and trails;
    - Preserve the existing larger-lot development patterns and eclectic architecture; and
    - Create and encourage effective neighborhood organizations.

**5. Consideration of the Future Land Use & Character and/or Thoroughfare Plans:** The subject tract is currently designated as Natural Areas – Reserved, Urban, and Suburban Commercial on the Comprehensive Plan Future Land Use and Character Map. Through this proposed amendment, the Urban area would increase and the Natural Areas – Reserved would be reduced. The Suburban Commercial designation would be eliminated.

The proposed Urban designation is suitable for an intense level of development activity. These areas tend to consist of townhouses, duplexes and high-density apartments. Urban allows for a higher density, equivalent to R-6 High-Density Multi-Family standards. The Comprehensive Plan identifies a considerable amount of Urban extending from this property along Harvey Mitchell Parkway towards the intersection with Texas Avenue.

The Thoroughfare Plan identifies Harvey Mitchell Parkway South as a 6-lane major arterial and is currently constructed as 4-lanes with a central median and turn lanes. The traffic produced by this type of development is not anticipated to generate a significant increase, but will need to be studied when the property is rezoned or a site plan is submitted.

**6. Compatibility with the surrounding area:** As stated previously, the amendment request is from Suburban Commercial, Urban, and Natural Areas Reserved to Urban and Natural Areas Reserved. An Urban designation would permit townhomes, duplexes, and high-density apartments. With this type of development, an increased amount of traffic, population, and infrastructure demands can be expected.

**7. Impacts on infrastructure including water, wastewater, drainage, and the transportation network:** Water service to the tract can be provided by an existing 24-inch water main located along the north side of Harvey Mitchell Parkway South. There is a 21-inch sanitary sewer main west of the property along Bee Creek Tributary B available to serve the property. The Sanitary Sewer Master Plan has identified this sewer line as needing to be upsized in the future. As the property develops, water and sanitary sewer mains will need to be extended into the property in accordance with the Unified Design Guidelines.

The change in land use designation is not expected to generate significantly more trips than the current land use designation. As stated earlier, at the time of rezoning, a determination will be made if a Traffic Impact Analysis is necessary.

8. **Impact on the City's ability to provide, fund, and maintain services:** The proposed land use amendment will not impact the City's ability to provide, fund, and maintain services.
9. **Impact on environmentally sensitive and natural areas:** The subject property is located in the Bee Creek drainage basin and contains FEMA Special Flood Hazard Area. The land use designation for a portion of the 100-year floodplain is proposed to be changed from Natural Areas-Reserved to Urban. This change could increase the intensity of the development allowed on an area of land that is currently undeveloped and intended to be preserved in its natural state for conveyance of floodwaters. No mitigation or analysis has been submitted and it is unclear at this point what impacts site development will have on the drainage system in this area and surrounding areas.
10. **Contribution to the overall direction and character of the community as captured in the Plan's vision and goals:** The goal for College Station's Future Lane Use and Character is to create a community with strong, unique neighborhoods, protected rural areas, special districts, distinct corridors, and a protected and enhanced natural environment.

The tract is located at the perimeter of at the South Knoll Area Neighborhood. The South Knoll Area Plan was adopted in 2013 which calls for further protection of the character of the neighborhood.

#### **OPTIONS FOR ACTION**

The Planning & Zoning Commission and City Council are requested to make a policy decision. At least three options for action are available as noted below:

- Approval – Accept the applicant's proposal of amending the Comprehensive Plan to a Urban and Natural Areas Reserved designation;
- Denial – The property will remain Suburban Commercial, Urban, and Natural Areas Reserved as currently designated on the Comprehensive Plan;
- Propose an alternative land use and character designation for the subject property.

#### **SUPPORTING MATERIALS**

1. Application
2. Copy of Land Use Amendment Map



FOR OFFICE USE ONLY	
CASE NO.:	<u>13.047</u>
DATE SUBMITTED:	<u>11.06.13</u>
TIME:	<u>9:35</u>
STAFF:	<u>ST</u>

## COMPREHENSIVE PLAN AMENDMENT APPLICATION

**(Check all applicable)**

- Related to Community Character    
  Related to Transportation    
  Related to Other \_\_\_\_\_

**MINIMUM SUBMITTAL REQUIREMENTS:**

- \$1,165 Comprehensive Plan Amendment Application Fee.
- Application completed in full. This application form provided by the City of College Station must be used and may not be adjusted or altered. Please attach pages if additional information is provided.
- Two (2) copies of a fully dimensioned map on 24" X 36" paper showing (if applicable):
  - a. Land affected;
  - b. Present zoning of property and zoning classification of all abutting property;
  - c. Current Concept Map and Future Land Use and Character Map classifications and proposed classifications;
  - d. Current Concept Map and Future Land Use and Character Map classifications of all abutting property;
  - e. Current and proposed thoroughfare alignments;
  - f. Currently planned utility infrastructure and proposed utility infrastructure;
  - g. General location and address of property; and
  - h. Total acres of property.

Date of Optional Preapplication Conference \_\_\_\_\_

NAME OF PROJECT Harvey Mitchell/Rio Grande Townhomes

ADDRESS N/A

LEGAL DESCRIPTION (Lot, Block, Subdivision) N/A

GENERAL LOCATION OF PROPERTY, IF NOT PLATTED:

on FM2818 east of the CS Electrical Substation near Rio Grande@FM2818

TOTAL ACREAGE 7.267 Acres

APPLICANT / PROJECT MANAGER'S INFORMATION (Primary contact for the project):

Name Mitchell & Morgan c/o Veronica Morgan E-mail v@mitchellandmorgan.com

Street Address 511 University Dr East Suite 204

City College Station State Tx Zip Code 77840

Phone Number 979-260-6963 Fax Number 979-260-3564

**PROPERTY OWNER'S INFORMATION:**

Name Unisource Estate Investments, LLC c/o Kamal Rahman E-mail kamal@texasbizx.com  
Street Address 1910 Labrisa Dr  
City Bryan State TX Zip Code 77807  
Phone Number 979-775-3546 Fax Number 866-281-6724

**ANSWER ALL OF THE FOLLOWING:**

1. What specific element of the Comprehensive Plan (for example, Land Use and Character designation, Thoroughfare Plan Context Class, or thoroughfare alignment) and at what specific location (if applicable) is requested to be amended?

*The element we are seeking to amend is the Land Use and Character Designation on the property east of the CS Electrical Substation on FM2818 near the Rio Grande intersection.*

2. What is the amendment request?

*The amendment request is to modify the Land Use from SC - Suburban Commercial, U - Urban and NAR - Natural Areas Reserved to U - Urban and NAR - Natural Areas Reserved.*

3. Explain the reason for this amendment.

*This property is located at the dead end of the FM2818 northern frontage road. Given its location, the tract is much better suited to develop as a single townhouse development rather than a strip of commercial and townhomes hidden behind it.*

4. Identify the conditions that have changed to warrant this change to the existing Comprehensive Plan.

*With regard to the NAR area - the floodplain limits have changed along this section of Bee Creek. We intend to retain NAR along the floodplain and a 20ft buffer beyond the new floodplain limits. This is reflected on this Land Use Plan Amendment map. With regard to the SC - Suburban Commercial to U - Urban, the limited access to FM2818 poses difficulties to the marketability and long term viability of commercial property at this location. Residential uses are adaptable and more suited to deal with limited access and driveway access issues. The ability to market this location as commercial is very difficult.*

5. Explain why the existing element of the Comprehensive Plan in question is no longer appropriate.

*The existing Land Use of SC-Suburban Commercial along the FM2818 northern frontage road will be challenging because of its location and limited access to FM2818. Forcing the continuation of strip commercial along a dead end frontage road is not the most appropriate land use for this property. A residential land use can adapt much better to these access limitations.  
The existing Land Use of NAR -Natural Area Reserved developed during the Comprehensive Plan adoption used a different floodplain boundary than exists today on the property. The floodplain boundary has been reduced significantly.*

6. How does the requested amendment further the goals and objectives of the Comprehensive Plan?

*The goal of the Comprehensive Plan future land use and character is to "be a community with strong, unique neighborhoods, protected rural areas, special districts, distinct corridors and a protected and enhanced natural environment. With this amendment we are:*  
*- protecting the floodplain and a 20ft buffer area along the creek*  
*- allowing for the addition to the property tax base*  
*- creating a sustainable development appropriate along the limited access provided by the FM2818 frontage road*

7. What other information are you providing to support the proposed amendment (for example, transportation impact study)?

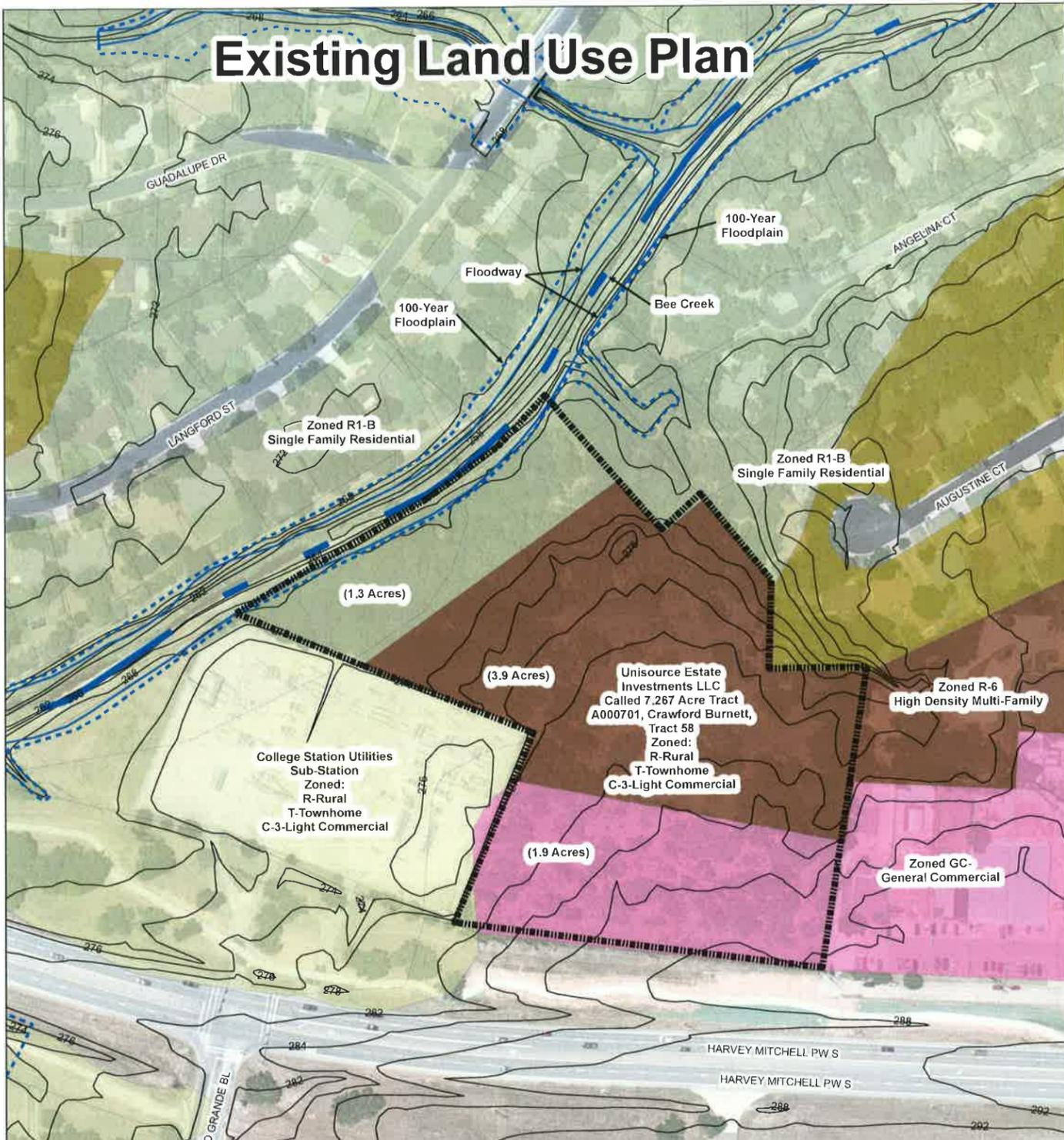
None

The applicant has prepared this application and certifies that the facts stated herein and exhibits attached hereto are true, correct, and complete. IF THIS APPLICATION IS FILED BY ANYONE OTHER THAN THE OWNER OF THE PROPERTY, this application must be accompanied by a power of attorney statement from the owner. If there is more than one owner, all owners must sign the application or the power of attorney. If the owner is a company, the application must be accompanied by proof of authority for the company's representative to sign the application on its behalf.

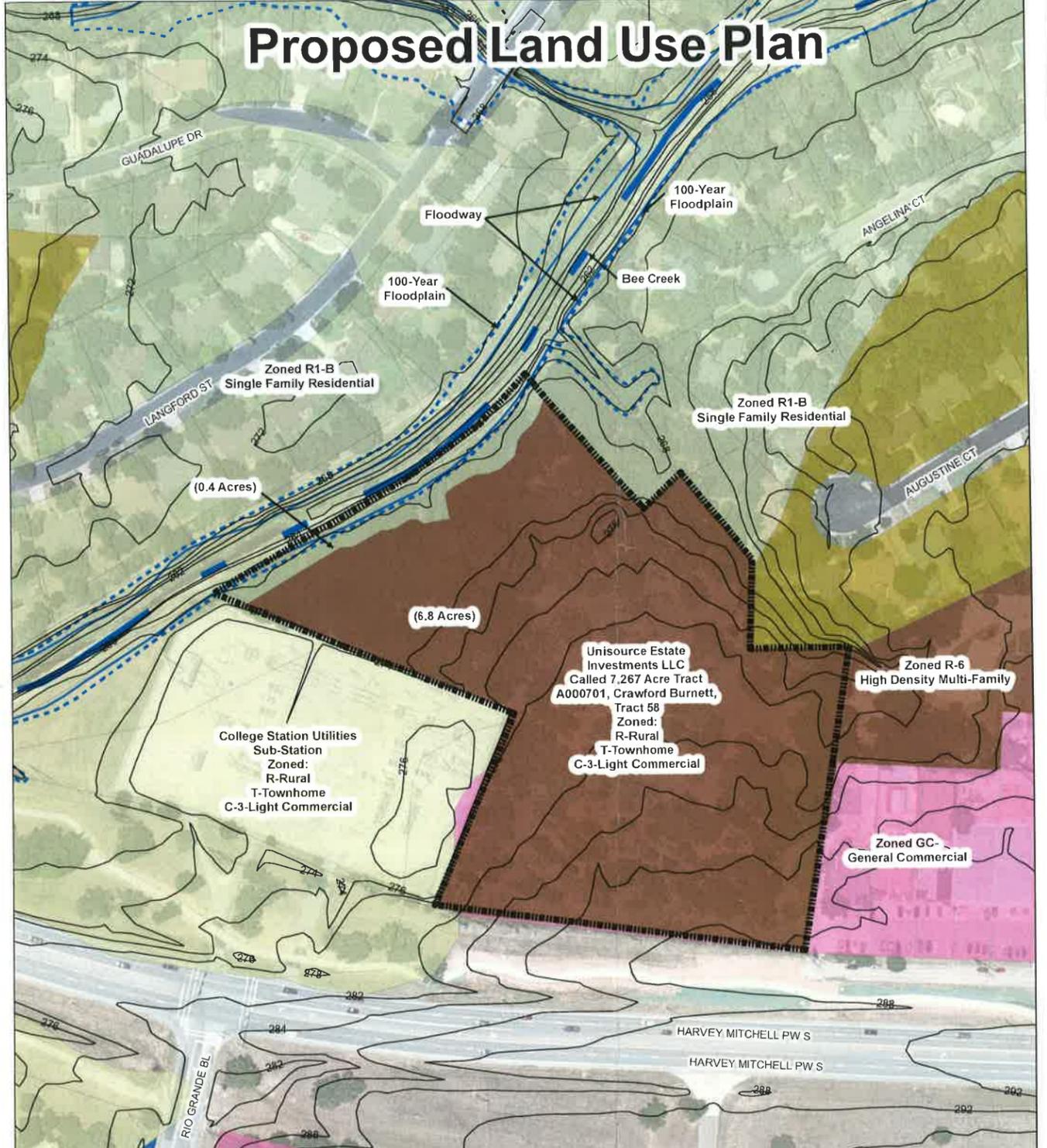
Abraham L. President  
Signature and title

11/6/2013  
Date

# Existing Land Use Plan



# Proposed Land Use Plan



**Legend**

- Parcel Boundary
- BeeCreekCL
- 100-Year Floodplain
- Floodway
- 111, Neighborhood Conservation
- 120, Urban; 250, Urban
- 200, Suburban Commercial
- 410, Institutional/Public
- 800, Natural Areas - Reserved

1 inch = 100 feet

**MITCHELL & MORGAN**

Civil Engineering, Hydraulics, Hydrology, Utility Planning & Design, Site Planning & Design, Street Design, Subdivision Planning & Design

November, 2013  
Designed By: VJBM  
Drawn By: KWS  
Checked By: VJBM

**Mitchell & Morgan, L.L.P.**  
Consulting Engineers and Constructors  
511 University Drive East, Suite 204  
College Station, Texas 77840  
(979) 260-6963 Fax: (979) 260-3564

**LAND USE AMENDMENT**  
**HARVEY MITCHELL/**  
**RIO GRANDE TOWNHOMES**  
**COLLEGE STATION, TX**

**EX**

13-217  
11-18-13  
4:34