



# College Station, TX

City Hall  
1101 Texas Ave  
College Station, TX 77840

## Meeting Agenda Planning and Zoning Commission Workshop

*The City Council may or may not attend the Planning & Zoning  
Commission Workshop Meeting.*

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Monday, January 5, 2015

6:30 PM

City Hall Council Chambers

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1. Call the meeting to order.
2. Discussion of consent and regular agenda items.
3. Discussion of new development applications submitted to the City.  
New Development Link: [www.cstx.gov/newdev](http://www.cstx.gov/newdev)
4. [14-916](#) Presentation, possible action, and discussion regarding the status of items within the 2014 P&Z Plan of Work (see attached). (J. Schubert)  
  
**Attachments:** [2014 P&Z Plan of Work](#)
5. [14-908](#) Presentation, possible action, and discussion regarding a Semi-Annual Report on Impact Fees 92-01, 97-01, 97-02B, 99-01, and 03-02. (C.Cotter)  
  
**Attachments:** [Impact Fee Semi-Annual Report](#)  
[Impact Fee Service Areas Map](#)  
[Current Land Use Map per Impact Fee Area](#)
6. [14-909](#) Presentation, possible action, and discussion regarding an update on the following items:
  - \* A rezoning of approximately 36.86 acres located at 1800 Wellborn Road, and more generally located between Wellborn Road and Jones-Butler Road, north of Harvey Mitchell Parkway, from M-2 Heavy Industrial and GS General Suburban to PDD Planned Development District. The Planning & Zoning Commission heard this item on December 4, 2014 and voted 5-0 to recommend approval. The City Council heard this item on December 18, 2014 and voted 6-1 to approve the request.
  - \* A rezoning of approximately 19.125 acres located at 3850 Greens Prairie Road West, and more generally located near the entrance of Creek Meadows Subdivision at the intersection of Greens Prairie Road West and Creek Meadows Boulevard North, from PDD Planned Development District and R Rural to PDD Planned Development District to amend the concept plan layout and uses. The Planning & Zoning Commission heard this item on November

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7. [14-910](#) Presentation, possible action, and discussion regarding the P&Z Calendar of Upcoming Meetings:

\* Thursday, January 8, 2015 ~ City Council Meeting ~ Council Chambers ~ Workshop 5:30 p.m. and Regular 7:00 p.m.

\* Thursday, January 15, 2015 ~ 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

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.

The Commission may adjourn into Executive Session to consider any item listed on this agenda if a matter is raised that is appropriate for Executive Session discussion. An announcement will be made of the basis for the Executive Session discussion.

APPROVED

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City Manager

I certify that the above Notice of Meeting was posted at College Station City Hall, 1101 Texas Avenue, College Station, Texas, on December 31, 2014 at 5:00 p.m.

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## City Secretary

This building is wheelchair accessible. Handicap parking spaces are available. Any request for sign interpretive service must be made 48 hours before the meeting. To make arrangements call (979) 764 3517 or (TDD) 1 800 735 2989. Agendas may be viewed on [www.cstx.gov](http://www.cstx.gov). Council meetings are broadcast live on Cable Access Channel 19.



## Legislation Details (With Text)

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**File #:** 14-916      **Version:** 1      **Name:** 2014 P&Z Plan of Work Update  
**Type:** Minutes      **Status:** Agenda Ready  
**File created:** 12/19/2014      **In control:** Planning and Zoning Commission Workshop  
**On agenda:**      **Final action:**  
**Title:** Presentation, possible action, and discussion regarding the status of items within the 2014 P&Z Plan of Work (see attached). (J. Schubert)  
**Sponsors:** Jason Schubert  
**Indexes:**  
**Code sections:**  
**Attachments:** [2014 P&Z Plan of Work](#)

Date	Ver.	Action By	Action	Result
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Presentation, possible action, and discussion regarding the status of items within the 2014 P&Z Plan of Work (see attached). (J. Schubert)

## 2014 Planning & Zoning Commission Plan of Work

### Comprehensive Plan Implementation

<b>Implementation of Adopted Plans</b>	
<p>Summary:</p> <p>Implementation of adopted master plans and neighborhood, district, and corridor plans, namely: Central College Station, Eastgate, Southside Area, Wellborn Community, and South Knoll Area neighborhood plans, and Bicycle, Pedestrian &amp; Greenways, Parks and Recreation, Water, Waste Water, Medical District, and Economic Development master plans.</p>	<p>Project Dates:</p> <p>June 2014: Entered into a contract with Freese and Nichols, Inc to complete update of Water Master Plan model by May 2015.</p> <p>9/10/14: Entered into contract with Kimley-Horn and Associates, Inc to evaluate intersections identified in neighborhood plans.</p>
Staff Assigned: P&DS Staff	Anticipated Completion: On-going

<b>Five-Year Comprehensive Plan Report</b>	
<p>Summary:</p> <p>As called for in the Comprehensive Plan, complete a five-year evaluation and appraisal report to assess existing Plan and its success in achieving the community's goals.</p>	<p>Project Dates:</p> <p>7/16/14: Joint subcommittee meeting.</p> <p>8/22/14: Joint subcommittee meeting.</p> <p>9/18/14: P&amp;Z recommend approval of report.</p> <p>9/22/14: Council adopted report.</p>
Staff Assigned: J. Prochazka	Item Completed: September 2014

<b>Five-Year Comprehensive Plan Report Implementation</b>	
<p>Summary:</p> <p>Begin implementation of items and tasks identified in the Five-Year Comprehensive Plan Report.</p>	<p>Project Dates:</p> <p>9/10/14: Entered into contract with Kimley-Horn and Associates, Inc to update Thoroughfare Plan.</p>
Staff Assigned: P&DS Staff	Anticipated Completion: On-going

<b>Multi-Family &amp; Mixed Use Zoning Districts</b>	
<p>Summary:</p> <p>Create and adopt new zoning districts for Urban and Urban Mixed Use designations to implement these future land use and character designations identified in the Comprehensive Plan.</p>	<p>Project Dates:</p> <p>10/13/14: Zoning District subcommittee meeting.</p> <p>10/29/14: Draft ordinance language distributed for public comment.</p> <p><b>12/4/14: P&amp;Z recommended approval of the proposed ordinance.</b></p> <p><b>12/18/14: Council adopted the proposed ordinance.</b></p>
Staff Assigned: J. Prochazka	Item Completed: December 2014

<b>Walton Drive Commercial Overlay</b>	
<p>Summary:</p> <p>Create and adopt a zoning overlay to address parking and other non-conformities for the commercial area at Walton Drive and Texas Avenue as identified in the Eastgate Neighborhood Plan.</p>	<p>Project Dates:</p> <p>12/11/13: Stakeholder meeting with property owners to introduce possible overlay concept.</p> <p>5/15/14: Presentation at P&amp;Z Workshop.</p>
Staff Assigned: J. Schubert	Anticipated Completion: Fall 2014

<b>Wellborn Zoning Districts</b>	
Summary: Create and adopt new or modified zoning districts as identified in the Wellborn Community Plan.	Project Dates:
Staff Assigned: P&DS Staff	Anticipated Completion: Fall 2014

## Research and Education

<b>College Station Population</b>	
Summary: Overview of College Station's current population estimate and report on implications of exceeding the 100,000 mark.	Project Dates: 5/1/14: Presentation at P&Z Workshop.
Staff Assigned: M. Hester	Item Completed: May 2014

<b>Easterwood Airport Master Plan</b>	
Summary: Report on Easterwood Airport Master Plan and consideration of potential implications of any future plans for expansion.	Project Dates:
Staff Assigned: P&DS Staff	Anticipated Completion:

<b>Non-Residential Architectural Standards</b>	
Summary: Review existing standards to evaluate if updates are needed to reflect current practices and allow more flexibility in design.	Project Dates: 10/2/14: Stakeholder meetings at P&Z Workshop. 11/11/14: Stakeholder meeting with AIA Brazos Chapter at noon in Council Chambers. 11/20/14: P&Z Workshop follow up discussion.
Staff Assigned: Jason Schubert	Anticipated Completion: Spring 2015

<b>Planning &amp; Development Services Organizational Review Implementation</b>	
Summary: Continue implementation of the review by completing identified policy discussions, ordinance revisions, and process and service improvements.	Project Dates:
Staff Assigned: P&DS Staff	Anticipated Completion:

<b>Recently-Adopted Zoning Districts</b>	
Summary: Overview of the recently adopted zoning districts.	Project Dates: 4/17/14: Presentation at P&Z Workshop.
Staff Assigned: T. Rogers	Item Completed: April 2014

<b>Review of Adopted Plans</b>	
Summary: This item includes after action review of Northgate, BioCorridor, and Medical Districts, update on Water/Wastewater Master Plan, and update on implementation of adopted neighborhood and small area plans.	Project Dates: 6/5/14: Tour during P&Z Workshop to include sites in Northgate, BioCorridor, and Medical District.
Staff Assigned: P&DS Staff	Anticipated Completion:

<b>Sign Regulations</b>	
<p>Summary:</p> <p>Evaluate sign regulations related to electronic message boards.</p>	<p>Project Dates:</p> <p>5/12/14: Presentation at Council Workshop to receive direction from Council.</p> <p>7/3/14: P&amp;Z unanimously recommended approval of proposed sign ordinance.</p> <p>7/24/14: Council adopted proposed ordinance.</p>
Staff Assigned: M. Hester/J. Schubert	Item Completed: July 2014

<b>Transportation Planning</b>	
<p>Summary:</p> <p>Update regarding Metropolitan Planning Organization (MPO) transportation planning initiatives.</p>	<p>Project Dates:</p> <p>11/6/14: Presentation by Brad McCaleb, MPO Director, at P&amp;Z Workshop.</p>
Staff Assigned: D. Singh	Item Completed: November 2014



## Legislation Details (With Text)

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**File #:** 14-908      **Version:** 1      **Name:** Impact Fee Semi-Annual Report  
**Type:** Impact Fees      **Status:** Agenda Ready  
**File created:** 12/18/2014      **In control:** Planning and Zoning Commission Workshop  
**On agenda:** 1/5/2015      **Final action:**  
**Title:** Presentation, possible action, and discussion regarding a Semi-Annual Report on Impact Fees 92-01, 97-01, 97-02B, 99-01, and 03-02. (C.Cotter)  
**Sponsors:** Carol Cotter  
**Indexes:**  
**Code sections:**  
**Attachments:** [Impact Fee Semi-Annual Report](#)  
[Impact Fee Service Areas Map](#)  
[Current Land Use Map per Impact Fee Area](#)

Date	Ver.	Action By	Action	Result
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Presentation, possible action, and discussion regarding a Semi-Annual Report on Impact Fees 92-01, 97-01, 97-02B, 99-01, and 03-02. (C.Cotter)



CITY OF COLLEGE STATION

1101 Texas Avenue South, P.O. Box 9960  
College Station, Texas 77842  
Phone 979.764.3570 / Fax 979.764.3496

**MEMORANDUM**

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**DATE:** January 5, 2015  
**TO:** Planning and Zoning Commission  
**FROM:** Carol Cotter, P.E., Sr. Asst. City Engineer  
**SUBJECT:** Semi-Annual Report – Impact Fees 92-01, 97-01, 97-02B, 99-01, 03-02

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Local Government Code requires semi-annual reporting in order to monitor the progress of impact fees and to determine when an update to the fee study is necessary. An update was completed in November 2013. There have been no major changes in the impact fee programs since the recent update. Staff recommends that the Advisory Committee forward this report to City Council for their status update.

The City of College Station Ordinance Chapter 15, Impact Fees, designates the Planning and Zoning Commission as the Advisory Committee for review, advisement, and monitoring of proposed and existing impact fees. More specifically, the Advisory Committee is established to:

1. Advise and assist the City in adopting Land Use assumptions.
2. Review the Capital Improvements Plan and file written comments.
3. Monitor and evaluate implementation of the Capital Improvements Plan.
4. File semi-annual reports with respect to the progress of the Capital Improvements Plan.
5. Advise the City Council of the need to update or revise the Land Use Assumptions, Capital Improvements Plan, and Impact Fees.

Currently the City of College Station has five impact fees in existence of which all associated construction is complete. All five of the impact fees underwent a 5-Year Update in 2013 in accordance with State Law. The following is a current status report for each of the five impact fees. (To facilitate review, data from previous 6 months are presented in bold font.):

92-01 Sanitary Sewer ( Graham Road ) ( 508 ac. ) \$339.63/LUE

This fee was initially implemented in 1992 at \$152.18 /LUE and was revised in 1996 to \$289.77/LUE after approval of updated Land use Assumptions and Capital Improvements Plan (CIP), revised again to the \$232.04/LUE in 2000, revised again to \$316.07 in 2008, and to the current amount in November of 2013. The CIP consisted of three phases originally estimated at \$543,000 which have all been completed at a combined cost of \$473,518.72. Fees collected over the last reporting period are **\$0.00** for total amount of **\$324,292.38** (per Account #250-0000-287.51-13). The remaining amount eligible for collection is about **\$42,682.46**. The total amount to be recovered through impact fees is anticipated at **77%** of original construction cost.

97-01 Sanitary Sewer ( Spring Creek – Pebble Hills) ( 2000 ac.) \$144.01/LUE

This fee was implemented in December 1997 at \$349.55/LUE, was revised to \$98.39 in 2008, and was revised to the current amount in November of 2013.. The CIP consisted of Phase I (east of Hwy 6) and Phase II (west of Hwy 6). Phase I estimated to cost \$1,000,000 was completed in 1999 at a cost of \$631,214.59. Phase II was estimated to cost \$1,350,000 and was completed at a cost of \$813,752.00. The total actual cost was \$1,444,966.59. Fees collected over the last reporting period are **\$15,898.66** for total amount of **\$623,780.14** (per Acct #251-0000-287.51-13). The remaining amount eligible for collection is about **\$802,361.52**. The total amount to be recovered through impact fees is anticipated at **98%** of original construction cost.

97-02B Sanitary Sewer ( Alum Creek – Nantucket) ( 608 ac. ) \$44.71/LUE

This fee was implemented in December 1997 at \$243.38/LUE, was revised to \$59.42 in 2008, and was revised to the current amount in November of 2013. The CIP consisted of running a 15" sanitary sewer line from the south end of the College Station Business Park westerly along Alum Creek to the east ROW of Highway 6. The project was estimated to cost \$390,000 and was completed in 1999 at a cost of \$214,270.87. Fees collected over the last reporting period are **\$1,184.82** for total amount of **\$24,830.42** (per Acct #252-0000-287.51-13). The remaining amount eligible for collection is about **\$101,113.69**. The total amount to be recovered through impact fees is anticipated at **57%** of original construction cost.

99-01 Water ( Harley )( 158 ac. ) \$996.03/LUE

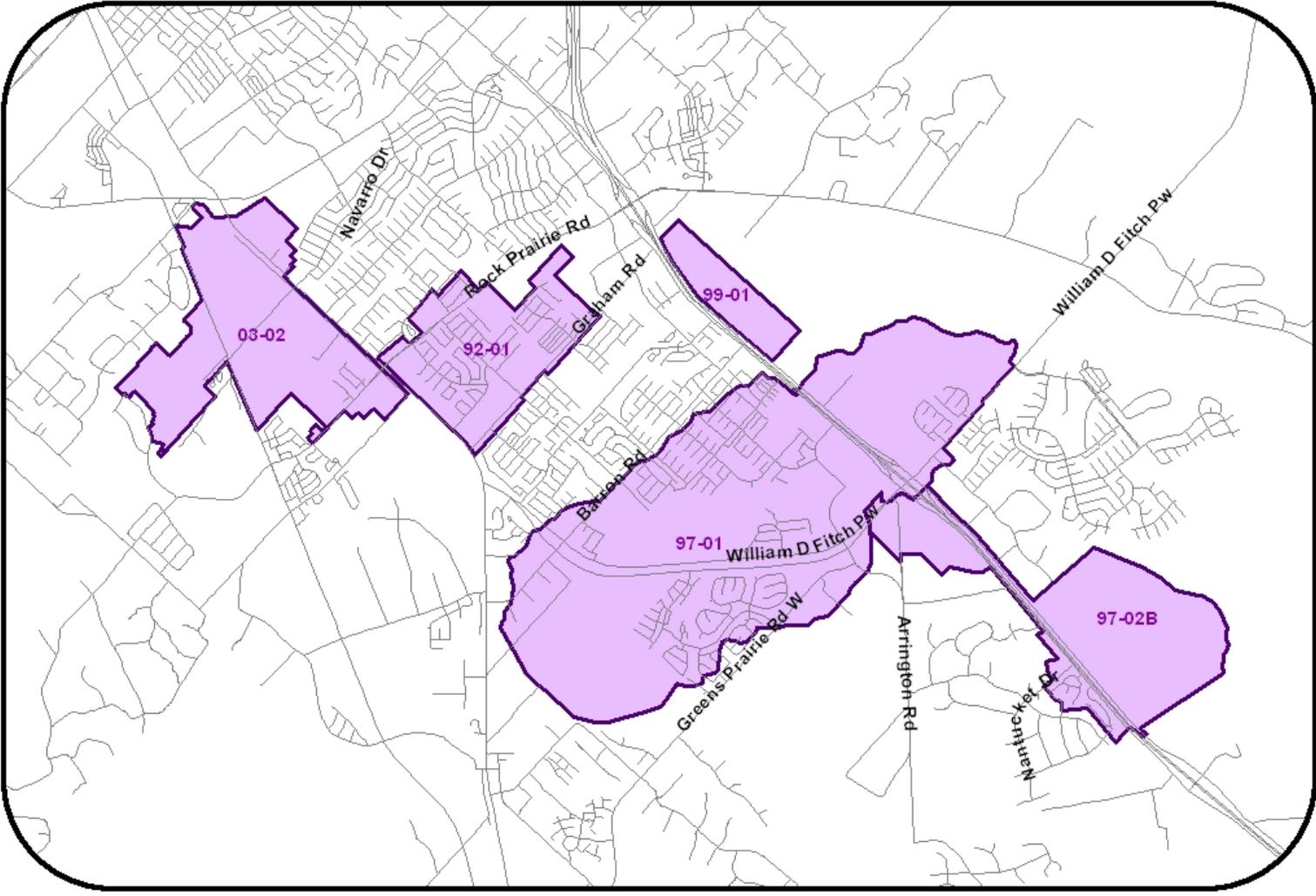
This fee was implemented in April 1999 at \$550.00/LUE, was revised to \$769.91 in 2008, and was revised to the current amount in November of 2013. The CIP consisted of running an 18" water line south along the east ROW of Highway 6 approximately 4800'. The line was estimated to cost \$312,000 (the impact fee is based on an 8" line @ \$165,000). A 2400' section of the 18" line was constructed in 1999 from the south end at a total cost of \$342,977.73. Fees collected over the last reporting period are **\$0.00** for total amount of **\$64,740.88** (per Acct #240-0000-287.51-13). The remaining amount eligible for collection is about **\$279,884.43**. The total amount to be recovered through impact fees is anticipated at **99%** of original construction cost.

03-02 Sanitary Sewer ( Steeplechase ) ( 715 ac. ) \$144.87/LUE

This fee was initially implemented in June 2003 at \$300.00/LUE, was revised to \$357.74 in 2009, and was revised to the current amount in November of 2013. This CIP was constructed in two phases of sanitary sewer line construction in compliance with the proposed construction in the original report establishing the fee. Phase one crossed Wellborn Road and terminated at Old Wellborn Road consisting of 2,347 linear feet of 18 inch sewer line with a construction cost of \$296,642. Phase two was completed in 2006 and continued the line along Old Wellborn Road and terminated across RPR West. Phase two consisted of 6,281 linear feet of 12 inch line and 2,062 linear feet of 18 inch line for a construction cost of \$529,088 and a land cost of \$87,133. The design cost for the combined phases was \$148,023. The total actual cost was \$1,091,886 which was less than the original report estimated at \$1,596,137. Fees collected over the last reporting period are **\$7,098.63** for total amount of **\$172,609.67** (per Acct #253-0000-287.51-13). The remaining amount eligible for collection is about **\$900,859.58**. The total amount to be recovered through impact fees is anticipated at **94%** of original construction cost.

<b>Impact Fee Area</b>	<b>Effective Buildout LUE</b>	<b>Current Impact Fee Rate</b>	<b>Remaining Capital Investment to Recoup</b>
92-01 Graham	1710	\$ 339.63	\$ 43,000
97-01 Spring Creek	8565	\$ 144.01	\$802,000
97-02B Alum	2656	\$ 44.71	\$101,000
99-01 Harley	396	\$ 996.03	\$280,000
03-02 Steeplechase	7051	\$ 144.87	\$901,000
		<b>Total</b>	<b>\$2,127,000</b>

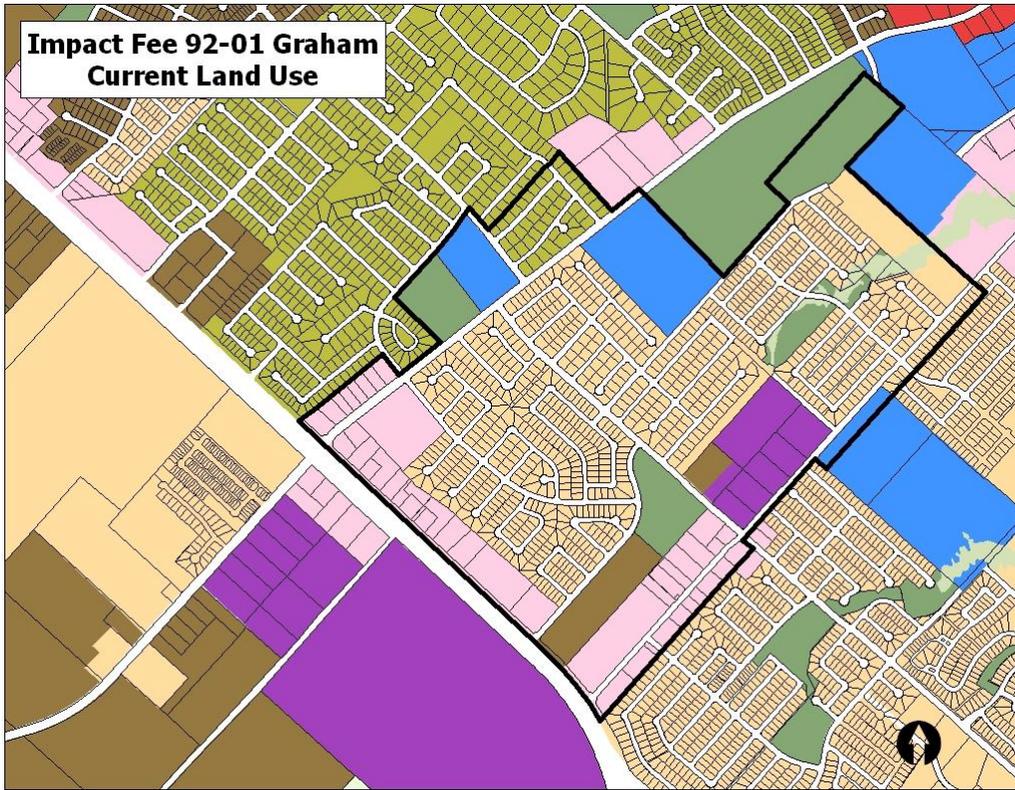
Attachments:    Impact Fee Service Areas Map  
                           Current Land Use Map per Impact Fee Area



1 inch equals 4,000 feet



**Impact Fee Areas - January 2013**

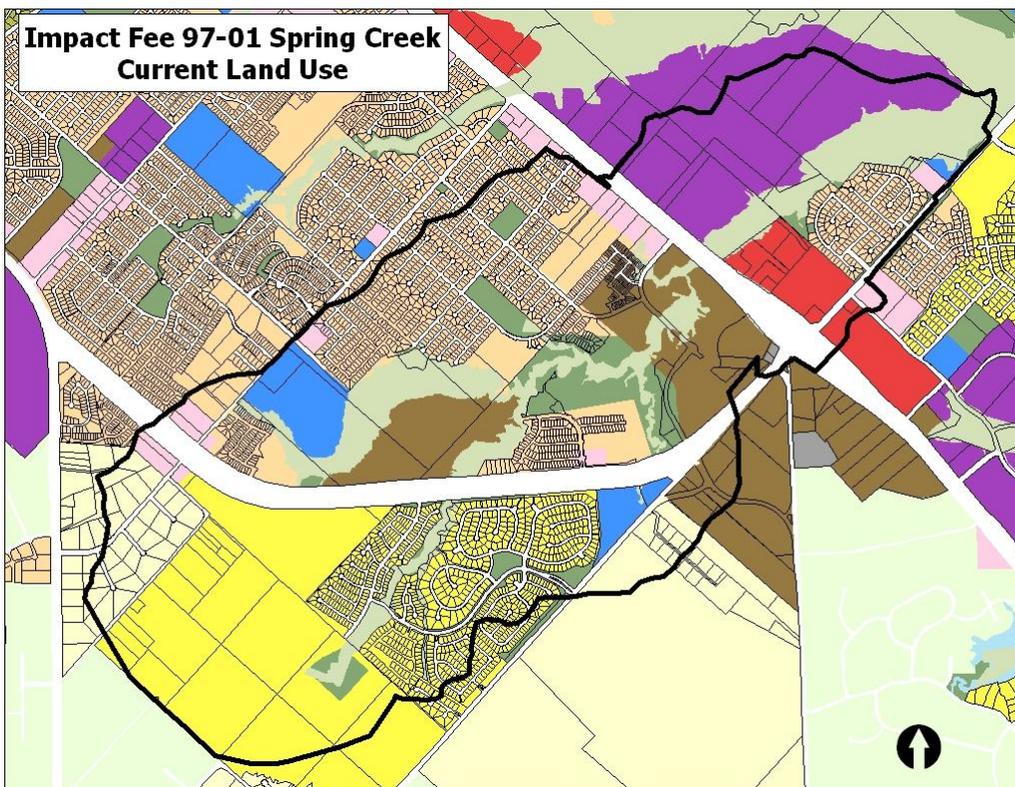


**Legend**

**Land Use Plan**

FLU-2

- 111 - Neighborhood Conservation
- 910 - 100 - Rural
- 130 - Estate
- 109 - Restricted Suburban
- 110 - General Suburban
- 120 - 250 - Urban
- 275 - Urban Mixed Use
- 210 - General Commercial
- 200 - Suburban Commercial
- 310 - Business Park
- 410 - Institutional/Public
- 450 - Texas A&M University
- 710 - 720 - Natural Areas - Protected
- 800 - Natural Areas - Reserved
- 850 - Utilities
- 456 - Redevelopment Areas
- 999 - Water

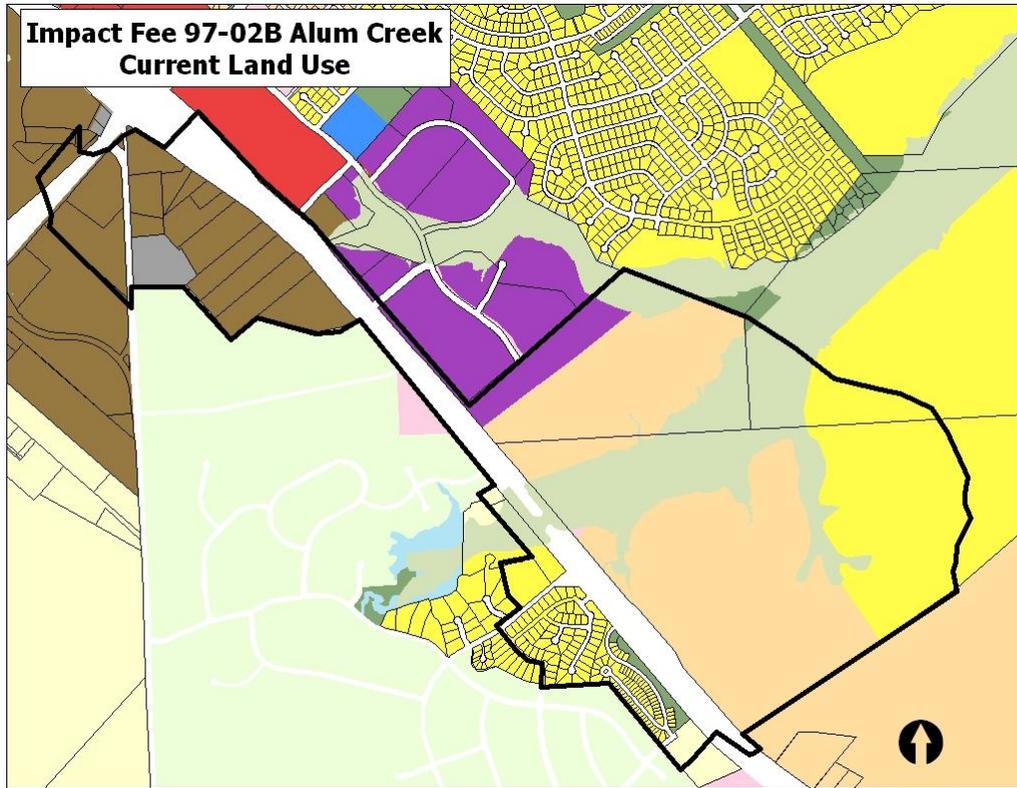


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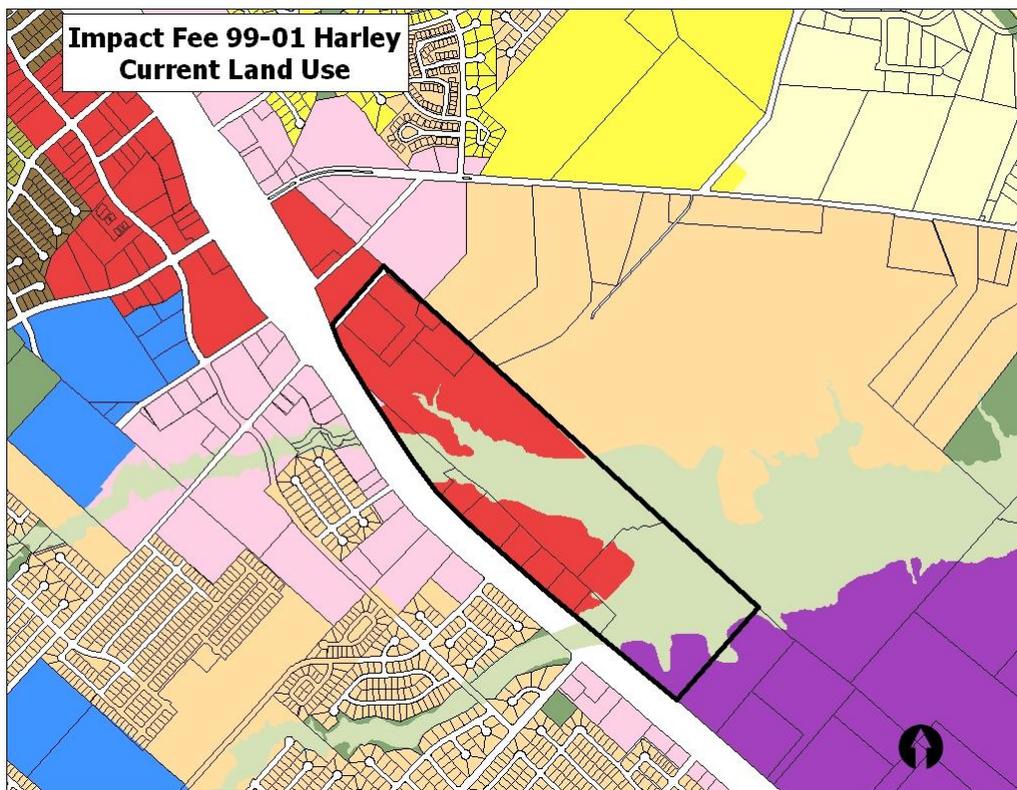


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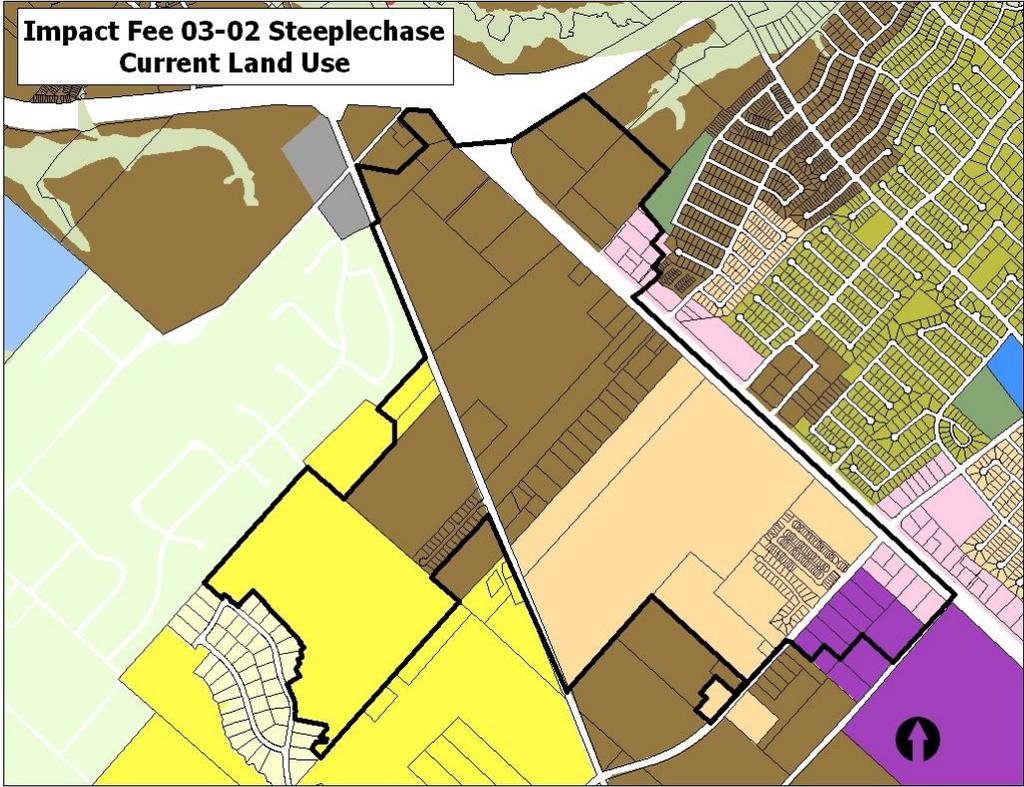
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**Impact Fee 03-02 Steeplechase  
Current Land Use**



**Legend**

**Land Use Plan**

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<b>Type:</b>	Updates	<b>Status:</b>			Agenda Ready
<b>File created:</b>	12/19/2014	<b>In control:</b>			Planning and Zoning Commission Workshop
<b>On agenda:</b>	1/5/2015	<b>Final action:</b>			

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**Sponsors:**

**Indexes:**

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**File #:** 14-910      **Version:** 1      **Name:** Upcoming Meetings  
**Type:** Minutes      **Status:** Agenda Ready  
**File created:** 12/19/2014      **In control:** Planning and Zoning Commission Workshop  
**On agenda:** 1/5/2015      **Final action:**  
**Title:** Presentation, possible action, and discussion regarding the P&Z Calendar of Upcoming Meetings:  
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# College Station, TX

City Hall  
1101 Texas Ave  
College Station, TX 77840

## Meeting Agenda Planning and Zoning Commission Regular

*The City Council may or may not attend the Planning & Zoning  
Commission Regular Meeting.*

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Monday, January 5, 2015

7:00 PM

City Hall Council Chambers

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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 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 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** [14-905](#) Consideration, possible action, and discussion to approve meeting minutes.  
\*November 20, 2014 ~ Workshop & Regular  
\*December 4, 2014 ~ Workshop & Regular

**Attachments:** [November 20, 2014 Workshop](#)  
[November 20, 2014 Regular](#)  
[December 4, 2014 Workshop](#)  
[December 4, 2014 Regular](#)

- 4.2** [14-917](#) Presentation, possible action, and discussion regarding a Final Plat for the 12 at Rock Prairie Subdivision Phase 1 consisting of 51 lots and two common areas on 9.223 acres generally located 3270 Rock Prairie Road West, more generally located west of the Buena

Vida subdivision and south of The Barracks II Subdivision. Case #14-00900181 (M.Bombek)

**Attachments:**     [Staff Report](#)  
                          [Application](#)  
                          [Final Plat](#)

### Regular Agenda

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

6.     [14-912](#)     Public hearing, presentation, possible action, and discussion regarding an ordinance amending Chapter 12, “Unified Development Ordinance,” Section 12-4.2, “Official Zoning Map,” of the Code of Ordinances of the City of College Station, Texas, by changing the zoning district boundaries from GS General Suburban to T Townhouse for approximately 1.84 acres for the property being a portion of a called 12.753 acre tract in the Crawford Burnett League, Abstract No. 7 as described by a deed to DWS Development, Inc. recorded in Volume 12198, Page 194 of the Official Public Records of Brazos County, Texas, generally located at 3270 Rock Prairie Road West. Case #14-00900289 (M.Bombek) (Note: Final action on this item is scheduled for the January 22, 2015 City Council meeting - subject to change)

**Attachments:**     [Staff Report](#)  
                          [Application](#)  
                          [Rezoning Map](#)

7.     [14-907](#)     Public hearing, presentation, possible action, and discussion regarding an ordinance amending Article 2, “Development Review Bodies” and Section 12-8.5.D, “Waiver of Lot Size” of Chapter 12, “Unified Development Ordinance” of the College Station Code of Ordinances regarding review authority for Municipal Utility Districts and the minimum lot size in the Extraterritorial Jurisdiction. Case #14-0900301 (L. Simms)

**Attachments:**     [Memo](#)  
                          [Redline of City Council Authority](#)  
                          [Redline of P&Z Authority](#)  
                          [Redline of Summary of Review Authority](#)  
                          [Redline of Lot Size Waiver](#)

8. 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.

9. Adjourn

The Commission may adjourn into Executive Session to consider any item listed on this agenda if a matter is raised that is appropriate for Executive Session discussion. An announcement will be made of the basis for the Executive Session discussion.

APPROVED

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City Manager

I certify that the above Notice of Meeting was posted at College Station City Hall, 1101 Texas Avenue, College Station, Texas, on December 31, 2014 at 5:00 p.m.

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City Secretary

This building is wheelchair accessible. Handicap parking spaces are available. Any request for sign interpretive service must be made 48 hours before the meeting. To make arrangements call (979) 764 3517 or (TDD) 1 800 735 2989. Agendas may be viewed on [www.cstx.gov](http://www.cstx.gov). Council meetings are broadcast live on Cable Access Channel 19.



## Legislation Details (With Text)

**File #:** 14-905      **Version:** 1      **Name:** Minutes  
**Type:** Minutes      **Status:** Agenda Ready  
**File created:** 12/16/2014      **In control:** Planning and Zoning Commission Regular  
**On agenda:** 1/5/2015      **Final action:**  
**Title:** Consideration, possible action, and discussion to approve meeting minutes.  
\*November 20, 2014 ~ Workshop & Regular  
\*December 4, 2014 ~ Workshop & Regular  
**Sponsors:** Brittany Caldwell  
**Indexes:**  
**Code sections:**  
**Attachments:** [November 20, 2014 Workshop](#)  
[November 20, 2014 Regular](#)  
[December 4, 2014 Workshop](#)  
[December 4, 2014 Regular](#)

Date	Ver.	Action By	Action	Result
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Consideration, possible action, and discussion to approve meeting minutes.  
\*November 20, 2014 ~ Workshop & Regular  
\*December 4, 2014 ~ Workshop & Regular

**MINUTES**  
**PLANNING & ZONING COMMISSION**  
**Workshop Meeting**  
**November 20, 2014, 6:00 p.m.**  
**CITY HALL COUNCIL CHAMBERS**  
**College Station, Texas**

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**COMMISSIONERS PRESENT:** Bo Miles, Jim Ross, Jerome Rektorik, Jane Kee, and Jodi Warner

**COMMISSIONERS ABSENT:** Casey Oldham and Rick Floyd

**CITY COUNCIL MEMBERS PRESENT:** John Nichols

**CITY STAFF PRESENT:** Lance Simms, Molly Hitchcock, Alan Gibbs, Jennifer Prochazka, Jason Schubert, Danielle Singh, Erika Bridges, Kevin Ferrer, Jessica Bullock, Mark Bombek, Rachel Lazo, Adam Falco, Jeremy Alderete, and Brittany Caldwell

1. Call the meeting to order.

Chairman Miles called the meeting to order at 6:02 p.m.

2. Discussion of consent and regular agenda items.

There was general discussion regarding Consent Agenda Item 4.3 and Regular Agenda Item 6.

3. Discussion on Minor and Amending plats approved by Staff.

\*Final Plat ~ Amending Plat ~ Duck Haven Phase 1 Lot 14A Block 2 Case # 14-00900234 (R. Lazo)

There was no discussion regarding the above-mentioned plat.

4. Discussion of new development applications submitted to the City.

New Development Link: [www.cstx.gov/newdev](http://www.cstx.gov/newdev)

There was no discussion regarding new development applications submitted to the City.

5. Presentation, possible action, and discussion regarding the status of items within the 2014 P&Z Plan of Work (see attached). (J. Schubert)

Principal Planner Schubert gave an update regarding the 2014 P&Z Plan of Work.

Transportation Planning Coordinator Singh updated the Commission on the Thoroughfare Plan.

6. Presentation, possible action, and discussion regarding an update of possible revisions to the non-residential architectural standards. (J. Schubert)

Principal Planner Schubert gave a presentation regarding possible revisions to the non-residential architectural standards.

There was general discussion amongst the Commission and Staff regarding the presentation.

7. Presentation, possible action, and discussion regarding an update on the following item:

\* A rezoning of approximately 32.488 acres located at the southwest corner of Harvey Mitchell Parkway South and Holleman Drive South from PDD Planned Development District to PDD Planned Development District to amend the concept plan layout. The Planning & Zoning Commission heard this item on November 6 and voted 5-0 to recommend approval. The City Council heard this item on November 13 and voted 5-0 to approve the request.

There was no discussion.

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

\* Monday, November 24, 2014 ~ City Council Meeting ~ Council Chambers ~ Workshop 6:00 p.m. and Regular 7:00 p.m.

\* Thursday, December 4, 2014 ~ P&Z Meeting ~ Council Chambers ~ Workshop 6:00 p.m. and Regular 7:00 p.m.

Chairman Miles reviewed the above-mentioned meetings.

9. Discussion, review and possible action regarding the following meetings: Design Review Board

There was no discussion.

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.

11. Adjourn.

The meeting was adjourned at 7:12 p.m.

**Approved:**

\_\_\_\_\_  
Bo Miles, Chairman  
Planning & Zoning Commission

**Attest:**

\_\_\_\_\_  
Brittany Caldwell, Admin. Support Specialist  
Planning & Development Services

**MINUTES**  
**PLANNING & ZONING COMMISSION**  
**Regular Meeting**  
**November 20, 2014, 7:00 p.m.**  
**CITY HALL COUNCIL CHAMBERS**  
**College Station, Texas**

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**COMMISSIONERS PRESENT:** Bo Miles, Jim Ross, Jerome Rektorik, Jane Kee, and Jodi Warner

**COMMISSIONERS ABSENT:** Casey Oldham and Rick Floyd

**CITY COUNCIL MEMBERS PRESENT:** John Nichols

**CITY STAFF PRESENT:** Lance Simms, Molly Hitchcock, Alan Gibbs, Jennifer Prochazka, Jason Schubert, Danielle Singh, Erika Bridges, Kevin Ferrer, Jessica Bullock, Mark Bombek, Rachel Lazo, Adam Falco, Jeremy Alderete, and Brittany Caldwell

1. **Call Meeting to Order**

Chairman Miles called the meeting to order at 7:15 p.m.

2. **Pledge of Allegiance**

3. **Hear Citizens**

No citizens spoke.

4. **Consent Agenda**

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

\* Rick Floyd ~ November 6, November 20 and December 4, 2014

4.2 Consideration, possible action, and discussion to approve meeting minutes.

\*November 6, 2104 ~ Workshop

\*November 6, 2014 ~ Regular

4.3 Presentation, possible action, and discussion regarding a Preliminary Plan for the Creek Meadows Subdivision consisting of 341 single-family and multi-family lots on approximately 110 acres located at 4126 Shallow Creek Loop, generally located at Greens Prairie Road West and Royder Road. Case # 14-00900262 (J. Bullock)

**Commissioner Warner motioned to approve Consent Agenda 4.1 – 4.3. Commissioner Kee 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 regarding an ordinance amending Chapter 12, "Unified Development Ordinance," Section 12-4.2, "Official Zoning Map," of the Code of Ordinances of the City of College Station, Texas by changing the zoning district boundaries from PDD Planned Development District and R Rural to PDD Planned Development District to amend the concept plan layout and uses for approximately 34.5 acres for the property generally located at 3850 Greens Prairie Road West, near the entrance of Creek Meadows Subdivision at the intersection of Greens Prairie Road West and Creek Meadows Boulevard North, including 19.125 acres in the Samuel Davidson League, Abstract No. 13, College Station, Brazos County, Texas, being a remainder of a called 22.418 acre tract described as Tract One in a deed to Creek Meadows Partners, LP, as described in Volume 7633, Page 239; and 15.37 acres in the Samuel Davidson League, Abstract No. 13, College Station, Texas, being a portion of the remainder of a called 171.043 acre tract described as Tract One by a deed to Creek Meadows Partners, LP, recorded in Volume 7068, Page 220, of the Official Deed Records of Brazos County. Case #14-00900166 (J. Prochazka) (Note: Final action on this item is scheduled for the December 18, 2014 City Council meeting -subject to change)

Principal Planner Prochazka presented the rezoning and recommended approval.

There was general discussion amongst the Commission regarding the rezoning request and meritorious modifications.

Chairman Miles opened the public hearing.

Veronica Morgan, 3204 Earl Rudder Freeway South, College Station, Texas, stated that the density had been reduced from apartments to townhomes from what was previously proposed.

Lisa Cantrell, 15097 Turnberry, College Station, Texas, expressed concern about drainage.

Lynn Ruoff, 3733 McCullough Road, College Station, Texas, would prefer that the lots were developed as a minimum of 2 acres, but supports the townhome proposal. She said that she would like fencing to buffer the development from her property.

Eddie Garza, 15033 Turnberry, College Station, Texas, expressed concerns about drainage issues and asked that one monumental fence be built to buffer the development from the existing residential properties.

Rabon Metcalf, RME Engineering, said that possible designs for the drainage have been reviewed and that they do not want to make the flooding issues worse.

Hunter Goodwin, 1011 Lyceum Court, College Station, Texas, said that he would consider putting a fence along the north and east sides of the property.

Chairman Miles closed the public hearing.

**Commissioner Warner motioned to recommend approval of the rezoning and the meritorious modifications with the condition that a continuous 6-foot wooden fence with design elements**

**be built along the north and east sides of the subject property. Commissioner Rektorik seconded the motion, motion passed (5-0).**

7. Public hearing, presentation, possible action, and discussion regarding an ordinance amending Chapter 12, "Unified Development Ordinance," Section 12-4.2, "Official Zoning Map," of the Code of Ordinances of the City of College Station, Texas by changing the zoning district boundaries from R Rural to GS General Suburban for approximately 1 acre being Lots 8, 9, and 10, Block 2, Needham Estates as recorded in volume 276, page 301 of the Official Records of Brazos County, Texas, generally located at 2468 Barron Road, more generally located at the northwest corner of Renee Lane and Barron Road. Case #14-00900260 (J. Bullock) (Note: Final action on this item is scheduled for the December 18, 2014 City Council meeting - subject to change)

Staff Planner Bullock presented the rezoning and recommended approval.

Chairman Miles opened the public hearing.

No one spoke during the public hearing.

Chairman Miles closed the public hearing.

**Commissioner Ross motioned to recommend approval of the rezoning. Commissioner Warner seconded the motion, motion passed (5-0).**

8. 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.

9. Adjourn

The meeting adjourned at 8:00 p.m.

**Approved:**

**Attest:**

\_\_\_\_\_  
Bo Miles, Chairman  
Planning & Zoning Commission

\_\_\_\_\_  
Brittany Caldwell, Admin. Support Specialist  
Planning & Development Services

**MINUTES**  
**PLANNING & ZONING COMMISSION**  
**Workshop Meeting**  
**December 4, 2014, 5:30 p.m.**  
**CITY HALL COUNCIL CHAMBERS**  
**College Station, Texas**

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**COMMISSIONERS PRESENT:** Bo Miles, Jim Ross, Jerome Rektorik, Jane Kee, and Jodi Warner

**COMMISSIONERS ABSENT:** Casey Oldham and Rick Floyd

**CITY COUNCIL MEMBERS PRESENT:** None

**CITY STAFF PRESENT:** Lance Simms, Debbie Eller, Donald Harmon, Alan Gibbs, Carol Cotter, Troy Rother, Jennifer Prochazka, Jason Schubert, Danielle Singh, Erika Bridges, Kevin Ferrer, Jessica Bullock, Jerry Cuaron, Mark Bombek, Brian Pisacek, David Brower, Robin Cross, Jeremy Alderete, and Brittany Caldwell

1. Call the meeting to order.

Chairman Miles called the meeting to order at 5:35 p.m.

2. Discussion of consent and regular agenda items.

There was general discussion regarding Regular Agenda Item 4.

3. Discussion on Minor and Amending plats approved by Staff.  
\*Final Plat ~ Amending Plat ~ Greens Prairie Center Phase 2A, Block 5, Lots 2RA-12RA Case # 14-00900238 (J. Bullock)  
\*Final Plat ~ Minor Plat ~ Caprock Crossing Phase 5, Lots 1R & 2R, Block 1 and Greens Prairie Center Phase 1, Lots 1R, Block 1 Case # 14-00900253 (J. Cuarón)

There was no discussion.

4. Discussion of new development applications submitted to the City.  
New Development Link: [www.cstx.gov/newdev](http://www.cstx.gov/newdev)

There was no discussion.

5. Presentation, possible action, and discussion regarding the status of items within the 2014 P&Z Plan of Work (see attached). (J. Schubert)

Principal Planner Schubert gave an update regarding the 2014 P&Z Plan of Work.

6. Presentation, possible action, and discussion regarding recommendations for future transportation projects. (D. Harmon)

Senior Engineer II Rother gave a presentation regarding future transportation projects.

There was general discussion amongst the Commission regarding the projects.

7. Presentation, possible action, and discussion regarding the Community Development Master Plan Phase 2 Report, including a review of social service providers, resources for those in need, and where gaps may exist. (B. Piscacek)

Director Eller introduced the item regarding the Community Development Master Plan.

Community Development Analysts Piscacek and Brower presented the item.

There was general discussion amongst the Commission regarding the Master Plan.

8. Presentation, possible action, and discussion regarding an update on the possible annexation of approximately 200 acres on the southwest side of the City, generally bordered by FM 2154, Greens Prairie Trail, and Royder Road. (L. Simms)

Director Simms gave a presentation regarding the possible annexation of approximately 200 acres on the southwest side of the City, generally bordered by FM 2154, Greens Prairie Trail, and Royder Road.

There was general discussion amongst the Commission regarding the possible annexation.

9. Presentation, possible action, and discussion regarding an update on the following items:
  - \* A rezoning of approximately 1.498 acres located at 13601 FM 2154, and more generally located south of the intersection of State Highway 40 and F.M. 2154, from PDD Planned Development District to PDD Planned Development District to amend the concept plan layout and uses. The Planning & Zoning Commission heard this item on November 6, 2014 and voted 5-0 to recommend approval. The City Council heard this item on November 24, 2014 and voted 7-0 to approve the request.
  - \* A rezoning of approximately 2.2920 acres located at 2440 Harvey Mitchell Parkway South from R&D Research & Development to T Townhouse. The Planning & Zoning Commission heard this item on November 6, 2014 and voted 5-0 to recommend approval. The City Council heard this item on November 24, 2014 and voted 7-0 to approve the request.
  - \* A rezoning of approximately 1 acre located at 218 Sterling Street from GS General Suburban to PDD Planned Development District. The Planning & Zoning Commission heard this item on November 6, 2014 and voted 5-0 to recommend approval. The City Council heard this item on November 24, 2014 and voted 7-0 to approve the request.
  - \* A rezoning of approximately 2.236 acres generally located at the southwest corner of Rock Prairie Road West and Holleman Drive South from R Rural to SC Suburban Commercial. The Planning & Zoning Commission heard this item on November 6, 2014 and voted 5-0 to recommend approval. The City Council heard this item on November 24, 2014 and voted 7-0 to approve the request.
  - \* A Conditional Use Permit for a Night Club/Bar/Tavern, more specifically the Annex Hookah Lounge, located at 2501 Texas Avenue. The Planning & Zoning Commission heard this item on November 6, 2014 and voted 5-0 to recommend approval. The City Council heard this item on November 24, 2014 and voted 7-0 to approve the request.
  - \* A Conditional Use Permit for a wireless telecommunications facility located at 727 Graham Road A. The Planning & Zoning Commission heard this item on November 6, 2014 and voted 5-0 to recommend approval. The City Council heard this item on November 24, 2014 and voted 7-0 to approve the request.
  - \* A rezoning of approximately 7.236 acres generally located at 2021 Harvey Mitchell Parkway South from C-3 Light Commercial, T Townhouse, and R Rural to T Townhouse and NAP Natural Areas Protected. The Planning & Zoning Commission heard this item on November 6, 2014 and voted 5-0 to recommend approval. The City Council heard this item on November 24, 2014 and voted 5-0-1 to approve the request.

There was no discussion.

10. Presentation, possible action, and discussion regarding the P&Z Calendar of Upcoming Meetings:
  - \* Monday, January 5, 2015 ~ P&Z Meeting ~ Council Chambers ~ Workshop 6:00 p.m. and Regular 7:00 p.m.
  - \* Thursday, January 8, 2015 ~ City Council Meeting ~ Council Chambers ~ Workshop 6:00 p.m. and Regular 7:00 p.m.

Chairman Miles reviewed the above-mentioned meetings.

11. Discussion, review and possible action regarding the following meetings: Design Review Board.

There was no discussion.

12. 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.

11. Adjourn.

The meeting was adjourned at 6:51 p.m.

**Approved:**

**Attest:**

\_\_\_\_\_  
Bo Miles, Chairman  
Planning & Zoning Commission

\_\_\_\_\_  
Brittany Caldwell, Admin. Support Specialist  
Planning & Development Services

**MINUTES**  
**PLANNING & ZONING COMMISSION**  
**Regular Meeting**  
**December 4, 2014, 7:00 p.m.**  
**CITY HALL COUNCIL CHAMBERS**  
**College Station, Texas**

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**COMMISSIONERS PRESENT:** Bo Miles, Jim Ross, Jerome Rektorik, Jane Kee, and Jodi Warner

**COMMISSIONERS ABSENT:** Casey Oldham and Rick Floyd

**CITY COUNCIL MEMBERS PRESENT:** James Benham

**CITY STAFF PRESENT:** Lance Simms, Donald Harmon, Alan Gibbs, Carol Cotter, Jennifer Prochazka, Jason Schubert, Danielle Singh, Erika Bridges, Kevin Ferrer, Jessica Bullock, Jerry Cuaron, Mark Bombek, Robin Cross, Jeremy Alderete, and Brittany Caldwell

1. **Call Meeting to Order**

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

2. **Pledge of Allegiance**

3. **Hear Citizens**

No citizens spoke.

**Regular Agenda**

4. Public hearing, presentation, possible action, and discussion regarding an ordinance amending Chapter 12, "Unified Development Ordinance," Section 12-4.2, "Official Zoning Map," of the Code of Ordinances of the City of College Station, Texas by changing the zoning district boundaries from GS General Suburban and M-2 Heavy Industrial to PDD Planned Development District for approximately 36.86 acres for the property generally located at 1800 Wellborn Road, and more generally located between Wellborn Road and Jones-Butler Road, north of Harvey Mitchell Parkway, being 36.86 acres in the Crawford Burnett League, A-7, College Station, Brazos County, Texas, and being the same called 14.58 acre tract of land conveyed to Cherokee Limited, recorded in Volume 323, Page 735, and the called 7.76 acre tract conveyed to Navajo Ltd.; as recorded in Vol. 337, Page 500, of the Brazos County Deed Records and the two tracts conveyed to Palomares Construction Co. called 12.58 acres, Tract 1, as recorded in Vol. 2508, Page 234, and all of called 2 acres, called Tract 2, as recorded in Vol. 2507, Page 180, of the Brazos County Official Records. Case #14-00900132 (J. Prochazka) (Note: Final action on this item is scheduled for the December 18, 2014 City Council meeting -subject to change)

Principal Planner Prochazka presented the rezoning and recommended approval with the condition that the impacts of any floodplain alterations be contained within the subject property.

There was general discussion amongst the Commission and Staff regarding the rezoning.

Chairman Miles opened the public hearing.

Veronica Morgan, 3204 Earl Rudder Freeway, College Station, Texas, gave an overview of the development and asked that the developer be held to an 850-bedroom count on the project rather than per dwelling unit.

John Williams, Williams & Associates, said that there would probably be 10-12 six-bedroom units.

Chairman Miles closed the public hearing.

**Commissioner Kee motioned to recommend approval of the rezoning and the meritorious modifications with the conditions that that the impacts of any floodplain alterations be contained within the subject property and the developer be limited to 850 bedrooms and each bedroom only be allowed one individual. Commissioner Rektorik seconded the motion, motion passed (5-0).**

5. Public Hearing, presentation, possible action, and discussion regarding an ordinance amending Chapter 12, "Unified Development Ordinance" of the Code of Ordinances of the City of College Station, Texas by the creation and amendment of multi-family residential and mixed-use zoning districts in compliance with the Comprehensive Plan. Case #13-00900237 (J. Prochazka) (Note: Final action on this item is scheduled for the December 18, 2014 City Council meeting - subject to change)

Principal Planner Prochazka presented the ordinance amendment regarding multi-family residential and mixed-use zoning districts.

There was general discussion amongst the Commission regarding the amendment.

Chairman Miles opened the public hearing.

No one spoke during the public hearing.

Chairman Miles closed the public hearing.

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

6. 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.

7. Adjourn

The meeting adjourned at 7:52 p.m.

**Approved:**

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Bo Miles, Chairman  
Planning & Zoning Commission

**Attest:**

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Brittany Caldwell, Admin. Support Specialist  
Planning & Development Services



## Legislation Details (With Text)

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**File #:** 14-917      **Version:** 1      **Name:** 12 at Rock Prairie Phase 1 Final Plat  
**Type:** Final Plat      **Status:** Agenda Ready  
**File created:** 12/19/2014      **In control:** Planning and Zoning Commission Regular  
**On agenda:** 1/5/2015      **Final action:**

**Title:** Presentation, possible action, and discussion regarding a Final Plat for the 12 at Rock Priairie Subdivision Phase 1 consisting of 51 lots and two common areas on 9.223 acres generally located 3270 Rock Prairie Road West, more generally located west of the Buena Vida subdivision and south of The Barracks II Subdivision. Case #14-00900181 (M.Bombek)

**Sponsors:** Mark Bombek

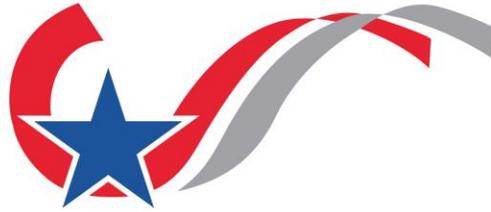
**Indexes:**

**Code sections:**

**Attachments:** [Staff Report](#)  
[Application](#)  
[Final Plat](#)

Date	Ver.	Action By	Action	Result
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Presentation, possible action, and discussion regarding a Final Plat for the 12 at Rock Priairie Subdivision Phase 1 consisting of 51 lots and two common areas on 9.223 acres generally located 3270 Rock Prairie Road West, more generally located west of the Buena Vida subdivision and south of The Barracks II Subdivision. Case #14-00900181 (M.Bombek)



**CITY OF COLLEGE STATION**  
**FINAL PLAT**  
**for**  
**12 at Rock Prairie Phase 1**  
**14-00900181**

**SCALE:** 51 residential townhouse lots and 2 common areas on 9.223 acres

**LOCATION:** 3270 Rock Prairie Road West, generally located west of the Buena Vida subdivision and south of The Barracks II Subdivision

**ZONING:** T Townhouse and GS General Suburban

**APPLICANT:** Craig Browne, agent for owner

**PROJECT MANAGER:** Mark Bombek, Staff Planner  
mbombek@cstx.gov

**RECOMMENDATION:** Staff recommends approval of the proposed Final Plat with the condition that any and all existing structures encroaching into proposed lot lines be removed prior to filing the Final Plat.



FINAL PLAT

Case: 14-181

12 AT ROCK PRAIRIE

DEVELOPMENT REVIEW



## **DEVELOPMENT HISTORY**

<b>Annexation:</b>	March 2008
<b>Zoning:</b>	A-O Agricultural Open upon annexation, renamed R Rural (2013) GS General Suburban and T Townhomes (2014)
<b>Preliminary Plan:</b>	August 21, 2014
<b>Site development:</b>	Agricultural Uses

## **COMMENTS**

<b>Parkland Dedication:</b>	Parkland Development Fees of \$64,311 (51 lots x \$1,261) will be required prior to the filing of the Final Plat for this phase.
<b>Greenways:</b>	No greenway is required or proposed.
<b>Pedestrian Connectivity:</b>	Sidewalks are proposed along both sides of all streets as required by the Subdivision Regulations. A 6-foot sidewalk is also proposed along Rock Prairie Road West.
<b>Bicycle Connectivity:</b>	Towers Parkway will be constructed with bike lanes and bike lanes are anticipated on Rock Prairie Road West when it is widened at an unknown time in the future.
<b>Impact Fees:</b>	The subject tract is located within the Steeplechase Sanitary Sewer Impact Fee Area and will be required \$144.87 per Living Unit Equivalent (LUE) upon construction.

## **REVIEW CRITERIA**

- 1. Compliance with Comprehensive Plan and Unified Development Ordinance:**  
The subject tract is located in an area designated as General Suburban on the Comprehensive Plan Future Land Use & Character Map and Growth Area V on the Concept Map which allows the potential for townhouse and neighborhood-serving commercial opportunities. The tract was rezoned to T Townhouse and GS General Suburban districts in June 2014. The proposed lots comply with the applicable zoning requirements contained in the Unified Development Ordinance.
- 2. Compliance with Subdivision Regulations:**  
The proposed Final Plat complies with the Preliminary Plan and with the Subdivision Regulations contained in the Unified Development Ordinance.

## **STAFF RECOMMENDATION**

Staff recommends approval of the proposed Final Plat with the condition that any and all existing structures encroaching into proposed lot lines be removed prior to filing the Final Plat.

## **SUPPORTING MATERIALS**

1. Application
2. Copy of Final Plat



<b>FOR OFFICE USE ONLY</b>	
CASE NO.:	<u>14-181</u>
DATE SUBMITTED:	_____
TIME:	_____
STAFF:	_____

*“ Revised ”*

## 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.
- Six (6) 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 March 5, 2014

NAME OF PROJECT 12 at Rock Prairie Phase 1

ADDRESS 3270 Rock Prairie Road West

SPECIFIED LOCATION OF PROPOSED PLAT:

North side of Rock Prairie Road 0.5 miles west of Wellborn Road

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

Name Craig Browne E-mail craig@craigbrowne.com

Street Address 2801 Earl Rudder Freeway

City College Station State Texas Zip Code 77845

Phone Number 979.764.7653 Fax Number \_\_\_\_\_

REVISED: SHOWS MOST RECENT OWNERSHIP

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

Name DWS Development - David Scamardo E-mail david@dwsdevelopment.com  
Street Address 1289 North Harvey Mitchell Parkway  
City Bryan State Texas Zip Code 77803  
Phone Number 979-779-7209 Fax Number 979-775-5258

ARCHITECT OR ENGINEER'S INFORMATION:

Name Joe Schultz, P.E. - Schultz Engineering LLC E-mail joeschultz84@verizon.net  
Street Address 3730 Longmire Drive, Suite A  
City College Station State Texas Zip Code 77845  
Phone Number 979.764.3900 Fax Number 979.764.3910

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 9.223 Total No. of Lots 51 R-O-W Acreage 3.022

Existing Use Horses Proposed Use Residential

Number of Lots By Zoning District 51 / T 0 / GS \_\_\_\_\_ / \_\_\_\_\_

Average Acreage Of Each Residential Lot By Zoning District:

0.087 / T 0 / GS \_\_\_\_\_ / \_\_\_\_\_

Floodplain Acreage N/A

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: EQUINOX SUBDIVISION PRELIMINARY PLAN

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

Date / Timeframe when submitted: JUNE 2014

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

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

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.

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

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.

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.

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><u>2525</u> Streets</p> <p><u>5050</u> Sidewalks</p> <p><u>1152</u> Sanitary Sewer Lines</p> <p><u>1964</u> Water Lines</p> <p><u>1571</u> Channels</p> <p><u>372</u> Storm Sewers</p> <p><u>1600</u> Bike Lanes / Paths</p>	<p><b>Parkland Dedication due prior to filing the Final Plat:</b></p> <p>ACREAGE:</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>FEE IN LIEU OF LAND:</p> <p>_____ No. of SF Dwelling Units X \$ _____ = \$ _____</p> <p>_____ (date) Approved by Parks &amp; Recreation Advisory Board</p>
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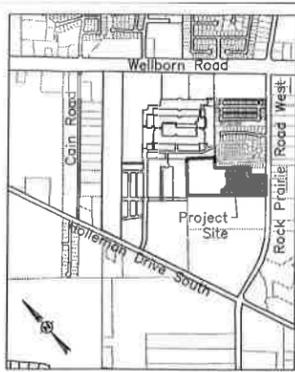
**NOTE: DIGITAL COPY OF PLAT MUST BE SUBMITTED PRIOR TO FILING.**

*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.*



\_\_\_\_\_  
Signature and title

\_\_\_\_\_  
Date



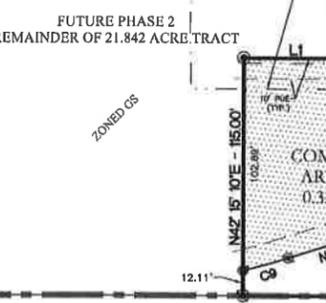
VICINITY MAP

**FUTURE PHASE 2  
REMAINDER OF 21.842 ACRE TRACT**

CURVE #	LENGTH	RADIUS	DELTA	TANGENT	CHORD	CHORD BEARING
C1	39.27	25.00	090°00'00"	25.00	35.36	N87°15'10"E
C2	39.27	25.00	090°00'00"	25.00	35.36	N02°44'30"W
C3	39.27	25.00	090°00'00"	25.00	35.36	S87°15'10"E
C4	39.27	25.00	090°00'00"	25.00	35.36	N02°44'30"W
C5	39.27	25.00	090°00'00"	25.00	35.36	S87°15'10"E
C6	39.27	25.00	090°00'00"	25.00	35.36	N02°44'30"W
C7	39.24	25.00	087°38'15"	23.99	34.82	S89°04'17"W
C8	122.48	483.50	015°08'15"	81.28	122.10	N37°40'43"W
C9	32.88	386.50	007°18'31"	11.44	32.87	N82°33'40"W
C10	117.81	75.00	090°00'00"	75.00	106.07	N87°15'10"E
C11	39.27	25.00	090°00'00"	25.00	35.36	N87°15'10"E
C12	39.29	25.00	090°03'11"	25.02	35.37	S02°43'15"E
C13	0.82	875.00	009°03'11"	0.31	0.82	S42°18'49"W
C14	3.36	825.00	009°16'38"	1.89	3.36	N42°24'28"E
C15	36.13	25.00	089°41'24"	24.87	35.29	N87°24'28"E
C16	31.83	25.00	072°28'51"	18.32	29.59	S11°30'28"E
C17	53.31	175.00	017°31'09"	28.97	53.30	S33°29'30"W
C18	80.80	225.00	017°31'09"	34.87	80.53	N33°29'30"E
C19	14.89	75.00	072°28'51"	54.87	58.88	N11°20'23"W
C20	36.25	25.00	089°57'50"	24.88	35.34	N87°18'15"W
C21	39.25	25.00	089°57'50"	24.88	35.34	S87°18'15"W
C22	0.81	825.00	007°03'01"	0.46	0.81	S42°14'49"W

**LINE TABLE**

LINE #	LENGTH	DIRECTION
L1	35.92	S47°44'50"E
L2	50.00	N42°15'40"E
L3	12.02	S47°44'50"E
L4	50.00	N42°15'12"E
L5	29.07	S47°44'50"E
L6	5.63	N42°20'10"E
L7	35.20	N24°44'00"E
L8	36.20	S24°44'00"W
L9	12.00	S47°44'50"E
L10	1.17	N73°37'23"W
L11	40.03	N19°48'07"W



**CERTIFICATE OF OWNERSHIP AND DEDICATION**  
STATE OF TEXAS  
COUNTY OF BRAZOS

I, David Scamardo, Manager of DWS Development, owner and developer of the 9.223 acre tract shown on this plat, and designated herein as 12 at Rock Prairie Subdivision, Phase 1, in the City of College Station, Texas, and whose name is subscribed hereto, hereby dedicate to the use of the public forever all streets, alleys, parks, greenways, infrastructure, easements and public places thereon shown for the purpose and consideration therein expressed. All such dedications shall be in fee simple unless expressly provided otherwise.

David Scamardo, Manager

STATE OF TEXAS  
COUNTY OF BRAZOS

Before me, the undersigned authority, on this day personally appeared David Scamardo, 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 \_\_\_\_\_, 20\_\_.

Notary Public, Brazos County, Texas

**CERTIFICATE OF CITY ENGINEER**  
I, \_\_\_\_\_, City Engineer of the City of College Station, Texas, hereby certify that this Subdivision conforms to the requirements of the Subdivision Regulations of the City of College Station, Texas.

\_\_\_\_\_  
City Engineer

**CERTIFICATE OF THE SURVEYOR**  
STATE OF TEXAS  
COUNTY OF BRAZOS

I, Idrad Kerr, Registered Professional Land Surveyor No. 4502, in the State of Texas, hereby certify that this plat is true and correct and was prepared from an actual survey of the property and that the property markers and monuments were placed under my supervision on the ground.

R.P.L.S. No. \_\_\_\_\_

**CERTIFICATE OF PLANNING AND ZONING COMMISSION**  
I, \_\_\_\_\_, Chairman of the Planning and Zoning Commission of the City of College Station, Texas, hereby certify that the attached plat was duly approved by the Commission on the \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Chairman

**CERTIFICATE OF THE COUNTY CLERK**  
STATE OF TEXAS  
COUNTY OF BRAZOS

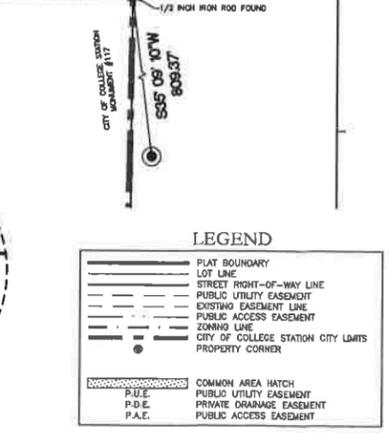
I, \_\_\_\_\_, County Clerk, in and for said county, do hereby certify that this plat together with its certificate of authentication was filed for record in my office the \_\_\_\_ day of \_\_\_\_\_, 20\_\_ in the Deed Records of Brazos County, Texas, in Volume \_\_\_\_ Page \_\_\_\_.

\_\_\_\_\_  
County Clerk

WITNESS my hand and official Seal, at my office in Bryan, Texas.

County Clerk  
Brazos County, Texas

N/F  
HENRY P. MAYO AND WIFE,  
SANDRA K. MAYO 23.00 ACRE  
TRACT 1253/878



# FINAL PLAT

## 12 AT ROCK PRAIRIE SUBDIVISION

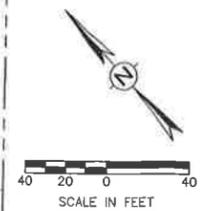
PHASE 1 - 9.223 ACRES  
BLOCK 1, LOTS 1-17  
BLOCK 2, LOTS 1-20  
BLOCK 3, LOTS 1-9  
BLOCK 4, LOTS 1-5  
COMMON AREA 1 & 2 (1.75 AC.)  
CRAWFORD BURNETT LEAGUE, A-7  
COLLEGE STATION, BRAZOS COUNTY, TEXAS  
AUGUST 2014 SCALE: 1"=40'

**OWNER:**  
DAVID L. & MARY E. TURNER  
3370 ROCK PRAIRIE RD W  
COLLEGE STATION, TX 77848

**ENGINEER:**  
Schultz Engineering, LLC

**DEVELOPER:**  
DWS DEVELOPMENT, INC.  
P.O. BOX 4508  
BRYAN, TX 77808

**SURVEYOR:**  
IDRAD KERR, RPLS NO. 4502  
ICSW SURVEYING, LLC  
409 N. TEXAS AVE.  
BRYAN, TEXAS 77803  
878-258-1198



**MIETES AND BOUNDS DESCRIPTION**  
OF A  
9.223 ACRE TRACT  
CRAWFORD BURNETT LEAGUE, A-7  
COLLEGE STATION, BRAZOS COUNTY, TEXAS  
MIETES AND BOUNDS DESCRIPTION OF ALL THAT CERTAIN TRACT OF LAND LYING AND BEING SITUATED IN THE CRAWFORD BURNETT LEAGUE, ABSTRACT NO. 7, COLLEGE STATION, BRAZOS COUNTY, TEXAS, SAID TRACT BEING A PORTION OF THE REMAINDER OF A CALLED 22.97 ACRE TRACT AS DESCRIBED BY A DEED TO CHARLES L. TURNER AND MARY E. TURNER RECORDED IN VOLUME 331, PAGE 61 OF THE OFFICIAL PUBLIC RECORDS OF BRAZOS COUNTY, TEXAS.

SAID TRACT BEING MORE PARTICULARLY DESCRIBED BY MIETES AND BOUNDS AS FOLLOWS:

BEGINNING AT A 1/2 INCH IRON ROD FOUND ON THE NORTHWEST CORNER OF ROCK PRAIRIE ROAD MARKING THE SOUTH CORNER OF SAID REMAINDER OF 22.97 ACRE TRACT AND THE EAST CORNER OF A CALLED 23.00 ACRE TRACT AS DESCRIBED BY A DEED TO HENRY P. MAYO AND WIFE, SANDRA K. MAYO, RECORDED IN VOLUME 1253, PAGE 878 OF THE OFFICIAL RECORDS OF BRAZOS COUNTY, TEXAS;

THENCE: N 47° 44' 50" W ALONG THE COMMON LINE OF SAID REMAINDER OF 22.97 ACRES TRACT AND SAID 23.00 ACRE TRACT FOR A DISTANCE OF 871.91 FEET;

THENCE: THROUGH SAID REMAINDER OF 22.97 ACRE TRACT FOR THE FOLLOWING CALLS:

N 42° 15' 10" E FOR A DISTANCE OF 115.00 FEET;

S 47° 44' 50" E FOR A DISTANCE OF 59.50 FEET;

N 42° 13' 46" E FOR A DISTANCE OF 59.00 FEET;

S 47° 44' 50" E FOR A DISTANCE OF 12.02 FEET TO THE BEGINNING OF A COUNTERCLOCKWISE CURVE HAVING A RADIUS OF 25.00 FEET;

ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 90° 00' 00" FOR AN ARC DISTANCE OF 39.27 FEET (CHORD BEARS: N 87° 15' 09" E - 35.36 FEET) TO THE END OF SAID CURVE;

N 42° 15' 10" E FOR A DISTANCE OF 116.50 TO THE BEGINNING OF A COUNTERCLOCKWISE CURVE HAVING A RADIUS OF 25.00 FEET;

ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 90° 00' 00" FOR AN ARC DISTANCE OF 39.27 FEET (CHORD BEARS: N 02° 44' 58" W - 35.36 FEET) TO THIS END OF SAID CURVE;

N 42° 10' 12" E FOR A DISTANCE OF 36.00 FEET;

S 47° 44' 50" E FOR A DISTANCE OF 29.07 FEET;

N 42° 15' 10" E FOR A DISTANCE OF 115.41 FEET TO THE COMMON LINE OF SAID REMAINDER OF 22.97 ACRE TRACT AND BUENA VIDA SUBDIVISION FOR A DISTANCE OF 461.00 FEET TO THE NORTH CORNER OF A CALLED 0.5506 ACRE TRACT AS DESCRIBED BY A DEED TO DIAMOND T STORAGE, LLC RECORDED IN VOLUME 7009, PAGE 255 OF THE OFFICIAL PUBLIC RECORDS OF BRAZOS COUNTY, TEXAS, FOR REFERENCE A 1/2 INCH IRON ROD FOUND MARKING A COMMON CORNER OF SAID REMAINDER OF 22.97 ACRE TRACT AND BUENA VIDA SUBDIVISION BEARS: N 47° 49' 48" W FOR A DISTANCE OF 260.09 FEET;

THENCE: S 47° 49' 48" E ALONG THE COMMON LINE OF SAID REMAINDER OF 22.97 ACRE TRACT AND BUENA VIDA SUBDIVISION FOR A DISTANCE OF 461.00 FEET TO THE NORTH CORNER OF A CALLED 0.5506 ACRE TRACT AS DESCRIBED BY A DEED TO DIAMOND T STORAGE, LLC RECORDED IN VOLUME 7009, PAGE 255 OF THE OFFICIAL PUBLIC RECORDS OF BRAZOS COUNTY, TEXAS, FOR REFERENCE A 1/2 INCH IRON ROD FOUND MARKING A COMMON CORNER OF SAID REMAINDER OF 22.97 ACRE TRACT AND BUENA VIDA SUBDIVISION BEARS: N 42° 22' 16" E FOR A DISTANCE OF 150.00 FEET;

THENCE: S 42° 22' 16" W ALONG THE NORTHWEST LINE OF ROCK PRAIRIE ROAD FOR A DISTANCE OF 408.23 FEET TO THE POINT OF BEGINNING CONTAINING 9.223 ACRES OF LAND, MORE OR LESS, BEARING SYSTEM SHOWN HEREIN IS BASED ON GRID NORTH AS ESTABLISHED FROM GPS OBSERVATION. SEE PLAT PREPARED FEBRUARY 2014 FOR MORE DESCRIPTIVE INFORMATION.

NOTES:

- BEARING SYSTEM SHOWN HEREON IS BASED ON GRID NORTH AS ESTABLISHED FROM GPS OBSERVATION.
- THIS TRACT DOES NOT LIE WITHIN A DESIGNATED 100 YEAR FLOOD PLAIN ACCORDING TO THE F.I.R.M. MAPS, COMMUNITY PANEL NO. 48041C0305-F, EFFECTIVE APRIL 2, 2014.
- THE WATER SUPPLIER FOR THIS DEVELOPMENT IS THE WELLBORN SPECIAL UTILITY DISTRICT. THE WATERLINES WILL BE DESIGNED AND CONSTRUCTED TO CITY OF COLLEGE STATION SPECIFICATIONS AND STANDARDS. THESE WATERLINES WILL PROVIDE THE REQUIRED FLOW TO FIRE HYDRANTS TO MEET FIRE PROTECTION REQUIREMENTS.
- ELECTRIC SERVICE FOR THIS DEVELOPMENT WILL BE PROVIDED BY BRYAN TEXAS UTILITIES (BTU). ADDITIONAL EASEMENTS WILL BE PROVIDED AS REQUIRED BY BTU.
- ALL LOTS WILL MEET SETBACK AND OTHER REQUIREMENTS AS SPECIFIED IN THE CITY OF COLLEGE STATION UNIFIED DEVELOPMENT ORDINANCE FOR THE ZONING CLASSIFICATION IN WHICH THEY LAY.
- DETENTION PONDS AND COMMON AREAS WILL BE OWNED AND MAINTAINED BY THE HOME OWNERS' ASSOCIATION (HOA).
- THE ZONING OF THIS TRACT IS T (TOWNHOUSE) & GS (GENERAL SUBURBAN).
- 1/2" IRON RODS WILL BE SET AT ALL LOT CORNERS AND ANGLE POINTS UNLESS NOTED OTHERWISE.
- DISTANCES SHOWN ON CURVES ARE CHORD LENGTHS.
- THIS AREA IS IN THE STEEPCHASE-WELLBORN SANITARY SEWER IMPACT FEE AREA. IMPACT FEES SHALL BE PAID IN CONJUNCTION WITH THE ISSUANCE OF BUILDING PERMITS.
- DRIVEWAY ACCESS FROM RESIDENTIAL LOTS SHALL NOT BE PERMITTED ONTO TOWERS PARKWAY.
- TOWERS PARKWAY SHALL HAVE BIKE LANES.
- EACH SINGLE-FAMILY AND TOWNHOME LOT WILL PROVIDE A MINIMUM OF 2 TREES OF AT LEAST 2 INCHES IN CALIPER OR ONE 4 INCH CALIPER TREE PER ORDINANCE 3222.
- PRIVATE DRAINAGE EASEMENTS TO BE MAINTAINED BY INDIVIDUAL LOT OWNERS. FENCES, GRADING, AND LANDSCAPE CANNOT IMPEDE THE FLOW IN THE PRIVATE DRAINAGE EASEMENT.

14-181  
10/27/14  
1:20  
AS



Legislation Details (With Text)

**File #:** 14-912      **Version:** 1      **Name:** 3270 Rock Prairie Road West Rezoning

**Type:** Rezoning      **Status:** Agenda Ready

**File created:** 12/19/2014      **In control:** Planning and Zoning Commission Regular

**On agenda:** 1/5/2015      **Final action:**

**Title:** Public hearing, presentation, possible action, and discussion regarding an ordinance amending Chapter 12, "Unified Development Ordinance," Section 12-4.2, "Official Zoning Map," of the Code of Ordinances of the City of College Station, Texas, by changing the zoning district boundaries from GS General Suburban to T Townhouse for approximately 1.84 acres for the property being a portion of a called 12.753 acre tract in the Crawford Burnett League, Abstract No. 7 as described by a deed to DWS Development, Inc. recorded in Volume 12198, Page 194 of the Official Public Records of Brazos County, Texas, generally located at 3270 Rock Prairie Road West. Case #14-00900289 (M.Bombek) (Note: Final action on this item is scheduled for the January 22, 2015 City Council meeting - subject to change)

**Sponsors:** Mark Bombek

**Indexes:**

**Code sections:**

**Attachments:** [Staff Report](#)  
[Application](#)  
[Rezoning Map](#)

Date	Ver.	Action By	Action	Result
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Public hearing, presentation, possible action, and discussion regarding an ordinance amending Chapter 12, "Unified Development Ordinance," Section 12-4.2, "Official Zoning Map," of the Code of Ordinances of the City of College Station, Texas, by changing the zoning district boundaries from GS General Suburban to T Townhouse for approximately 1.84 acres for the property being a portion of a called 12.753 acre tract in the Crawford Burnett League, Abstract No. 7 as described by a deed to DWS Development, Inc. recorded in Volume 12198, Page 194 of the Official Public Records of Brazos County, Texas, generally located at 3270 Rock Prairie Road West. Case #14-00900289 (M.Bombek) (Note: Final action on this item is scheduled for the January 22, 2015 City Council meeting - subject to change)



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

**REZONING REQUEST  
FOR  
3270 Rock Prairie Road West  
14-00900289**

**REQUEST:** GS General Suburban to T Townhouse

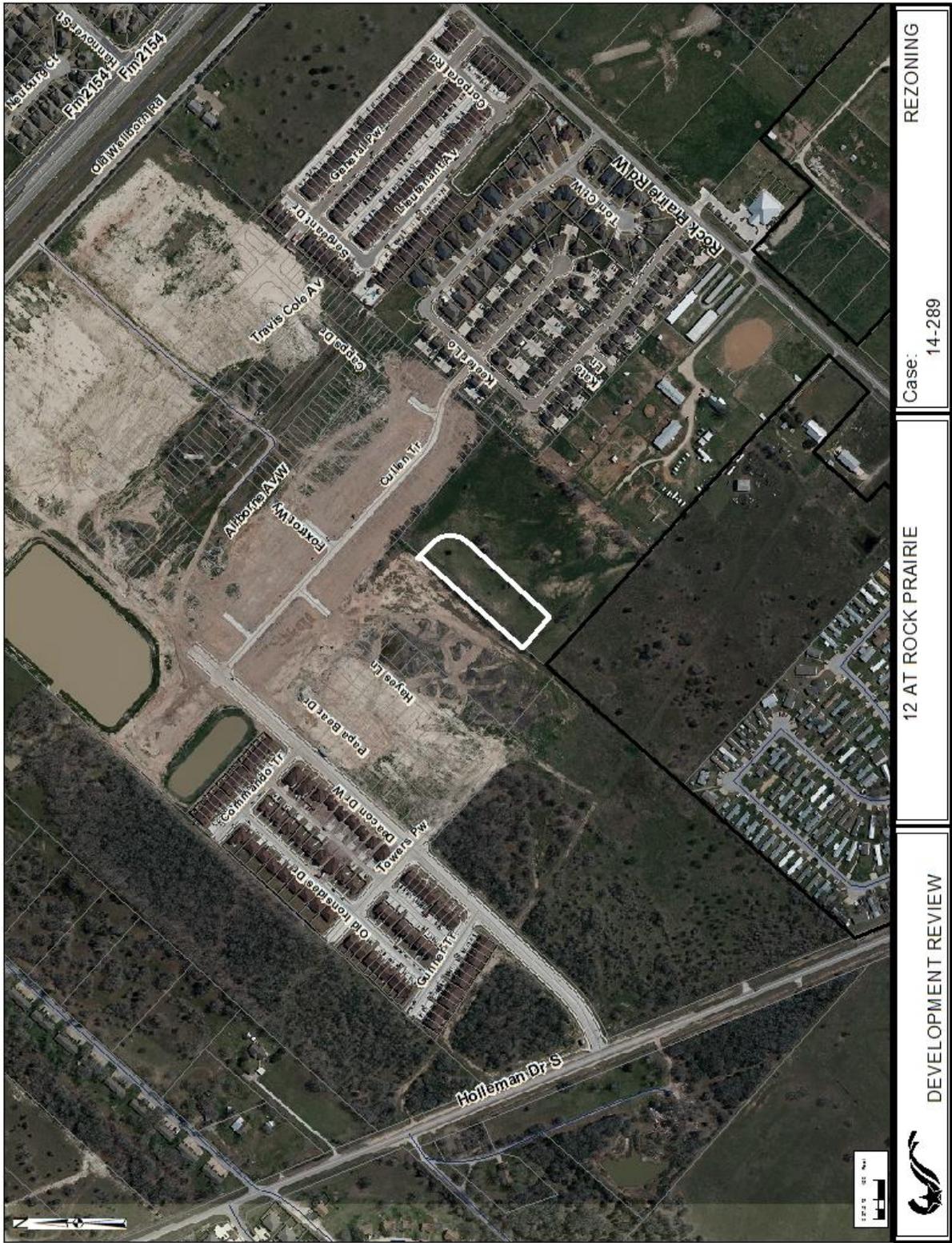
**SCALE:** 1.84 acres

**LOCATION:** 3270 Rock Prairie Road West, generally located north of the intersection of Holleman Drive South and Rock Prairie Road West, and west of The Barracks II and Buena Vida single-family residential subdivisions

**APPLICANT:** DWS Development, Inc.

**PROJECT MANAGER:** Mark Bombek, Staff Planner  
mbombek@cstx.gov

**RECOMMENDATION:** Staff recommends approval of the rezoning based on its compatibility with the Comprehensive Plan Future Land Use and Character Map with the condition that the gross density not exceed 8 units per acre overall.



REZONING

Case: 14-289

12 AT ROCK PRAIRIE

DEVELOPMENT REVIEW





## NOTIFICATIONS

Advertised Commission Hearing Date: January 5, 2015  
Advertised Council Hearing Date: January 22, 2015

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:

The Barracks at Rock Prairie Owners Association, Inc.

Property owner notices mailed: 22  
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	General Suburban And Growth Area V	PDD Planned Development District	The Barracks II Subdivision
South (across Rock Prairie Road West)	Urban	N/A (ETJ)	Vacant
East	General Suburban And Growth Area V	GS General Suburban	Buena Vida Subdivision
West	Urban	N/A (ETJ)	Vacant

## DEVELOPMENT HISTORY

**Annexation:** March 2008  
**Zoning:** A-O Agricultural Open upon annexation, renamed R Rural in September 2013, rezoned GS General Suburban in June 2014  
**Final Plat:** Unplatted  
**Site development:** Agricultural Uses

## REVIEW CRITERIA

- 1. Consistency with the Comprehensive Plan:** The subject area is designated as General Suburban on the Comprehensive Plan Future Land Use and Character Map. This area is also located in Growth Area V which allows for high-density single-family lots, townhomes, and duplexes for this area.
- 2. Compatibility with the present zoning and conforming uses of nearby property and with the character of the neighborhood:** The current zoning of GS General Suburban is compatible with the density present in the adjacent single-family residential developments of The Barracks II and Buena Vida. The proposed rezoning of T Townhouse will allow for townhome development.

3. **Suitability of the property affected by the amendment for uses permitted by the district that would be made applicable by the proposed amendment:** The current zoning designation of GS General Suburban allows for single-family development and is compatible with the land use designation for this area. However, a rezoning to Townhouse is also compatible with adjacent development and meets the property owner's intent to develop a more dense single-family development.
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 does allow for single-family residential use. This property is located near Rock Prairie Road West, a two-lane major collector, and a rezoning is appropriate to allow for a higher density single-family residential development.
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 property could be detached single family residential development, but it will be more compatible with the Barracks II Development with the proposed zoning.
6. **Availability of water, wastewater, stormwater, and transportation facilities generally suitable and adequate for the proposed use:** The subject tract being a portion of the proposed 12 at Rock Prairie Subdivision, is located in the Wellborn Special Utility District's water service area. Development of the subdivision will have to meet the City's fire flow requirements. There are 6-inch and 8-inch sanitary sewer lines adjacent to the tract which will need to be extended according to City Guidelines. The site is located in the Steeplechase Sanitary Sewer Impact Fee Area. The subject tract is located in the Bee Creek Tributary "B" drainage basin and drains generally to the north. Future development of the tract will have to meet the requirements of City Storm Water Design Guidelines. The property is located near Rock Prairie Road West, a future two-lane major collector. The future extension of Towers Parkway, a two-lane minor collector, is adjacent to a portion of the site and will have to be built with future development of the tract.

#### **STAFF RECOMMENDATION**

Staff recommends approval of the rezoning based on its compatibility with the Comprehensive Plan Future Land Use and Character Map with the condition that the gross density not exceed 8 units per acre overall.

#### **SUPPORTING MATERIALS**

1. Application
2. Rezoning map



FOR OFFICE USE ONLY	
CASE NO.:	<u>14-289</u>
DATE SUBMITTED:	<u>12/01/14</u>
TIME:	<u>1:15</u>
STAFF:	<u>AJ</u>

## ZONING MAP AMENDMENT (REZONING) APPLICATION GENERAL

### MINIMUM SUBMITTAL REQUIREMENTS:

- \$1,165 Rezoning 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.
- Traffic Impact Analysis or calculations of projected vehicle trips showing that a TIA is not necessary for the proposed request.
- One (1) copy of a fully dimensioned map on 24" x 36" paper showing:
  - a. Land affected;
  - b. Legal description of area of proposed change;
  - c. Present zoning;
  - d. Zoning classification of all abutting land; and
  - e. All public and private rights-of-way and easements bounding and intersecting subject land.
- Written legal description of subject property (metes & bounds or lot & block of subdivision, whichever is applicable).
- A CAD (dxf/dwg) - model space State Plane NAD 83 or GIS (shp) digital file (e-mailed to [pdsdigitalsubmittal@cstx.gov](mailto:pdsdigitalsubmittal@cstx.gov))

**NOTE:** 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 & Zoning Commission.

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

NAME OF PROJECT 12 at Rock Prairie

ADDRESS 3270 Rock Prairie Road West

LEGAL DESCRIPTION (Lot, Block, Subdivision) Crawford Burnett League, A-7

GENERAL LOCATION OF PROPERTY, IF NOT PLATTED:  
North side of Rock Prairie 0.5 miles west of Wellborn Road

TOTAL ACREAGE 1.84 Acres

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

Name DWS Development, Inc. E-mail david@dwsdevelopment.com

Street Address P.O. Box 4508

City Bryan State Texas Zip Code 77805

Phone Number \_\_\_\_\_ Fax Number \_\_\_\_\_

**PROPERTY OWNER'S INFORMATION:**

Name DWS Development, Inc. E-mail david@dwsdevelopment.com

Street Address P.O. Box 4508

City Bryan State Texas Zip Code 778405

Phone Number \_\_\_\_\_ Fax Number \_\_\_\_\_

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

Name Joe Schultz, P.E. - Schultz Engineering, LLC E-mail joeschultz84@verizon.net  
Street Address 2730 Longmire Drive, Suite A  
City College Station State Texas Zip Code 77845  
Phone Number 979.764.3900 Fax Number 979.764.3910

This property was conveyed to owner by deed dated 8-7-2014 and recorded in Volume 12198, Page 194 of the Brazos County Official Records.

Existing Zoning General Suburban - GS Proposed Zoning Townhouse - T  
Present Use of Property Horse Stables  
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.

*There is ongoing development of single family residential development, both detached and townhome units, in this area of College Station.*

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.

*This zone change is in accordance with the Comprehensive Plan for this area. This tract is in Growth Area V of the comprehensive plan which proposes high-density single family lots, townhomes and duplexes for this area.*

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 Barracks II Development consists of high density single family and townhomes and the Buena Vida Subdivision has high density single family lots. These developments are similar in character to the proposed development so they will be compatible. The Barracks II Development is requesting a change in the use of the property adjacent to the property in this request from single-family detached to townhouse. The General Suburban zoning will remain adjacent to the Mayo property.*

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

*The property has the necessary utilities available for the development and has access to Rock Prairie Road and will connect to the adjacent developments so the property is suitable for the proposed development.*

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

*The existing use of a detached single family residential zoning district is suitable for this area. However, this zoning change is requested to be compatible with the adjacent Barracks II Development.*

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

*The property could be detached single family residential but will be more compatible with the Barracks II Development with the zoning change.*

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

*This zone change would continue the residential development in this growth area.*

*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.*

*Dan Lee Praidat*

Signature and title

*11-26-2024*

Date

**METES AND BOUNDS DESCRIPTION  
OF A  
1.84 ACRE TRACT  
CRAWFORD BURNETT LEAGUE, A-7  
BRAZOS COUNTY, TEXAS**

METES AND BOUNDS DESCRIPTION OF ALL THAT CERTAIN TRACT OR PARCEL OF LAND LYING AND BEING SITUATED IN THE CRAWFORD BURNETT LEAGUE, ABSTRACT NO. 7, BRAZOS COUNTY, TEXAS. SAID TRACT BEING A PORTION OF A CALLED 12.573 ACRE TRACT AS DESCRIBED BY A DEED TO DWS DEVELOPMENT, INC. RECORDED IN VOLUME 12198, PAGE 194 OF THE OFFICIAL PUBLIC RECORDS OF BRAZOS COUNTY, TEXAS.

SAID TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

**COMMENCING** AT THE NORTH CORNER OF SAID 12.573 ACRE TRACT BEING ON THE SOUTHWEST LINE OF THE BARRACKS II SUBDIVISION, PHASE 101, ACCORDING TO THE PLAT RECORDED IN VOLUME 11191, PAGE 123 OF THE OFFICIAL PUBLIC RECORDS OF BRAZOS COUNTY, TEXAS, SAME BEING A SOUTHEAST CORNER OF THE REMAINDER OF A CALLED 108.88 ACRE TRACT AS DESCRIBED BY A DEED TO HEATH PHILLIPS INVESTMENTS, LLC RECORDED IN VOLUME 9627, PAGE 73 OF THE OFFICIAL PUBLIC RECORDS OF BRAZOS COUNTY, TEXAS;

**THENCE:** S 41° 21' 39" W ALONG THE COMMON LINE OF SAID 12.573 ACRE TRACT AND SAID REMAINDER OF 108.88 ACRE TRACT FOR A DISTANCE OF 121.01 FEET TO THE POINT OF BEGINNING OF THIS HEREIN DESCRIBED TRACT;

**THENCE:** THROUGH SAID 12.573 ACRE TRACT FOR THE FOLLOWING CALLS:

S 47° 44' 50" E FOR A DISTANCE OF 69.66 FEET TO THE BEGINNING OF A CLOCKWISE CURVE HAVING A RADIUS OF 95.00 FEET;

ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 90° 00' 00" FOR AN ARC DISTANCE OF 149.23 FEET (CHORD BEARS: S 02° 44' 50" E - 134.35 FEET) TO THE END OF SAID CURVE;

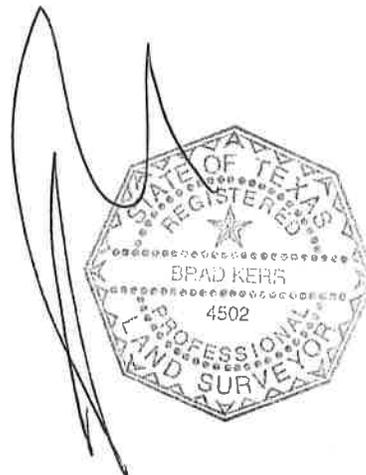
S 42° 15' 10" W FOR A DISTANCE OF 414.86 FEET;

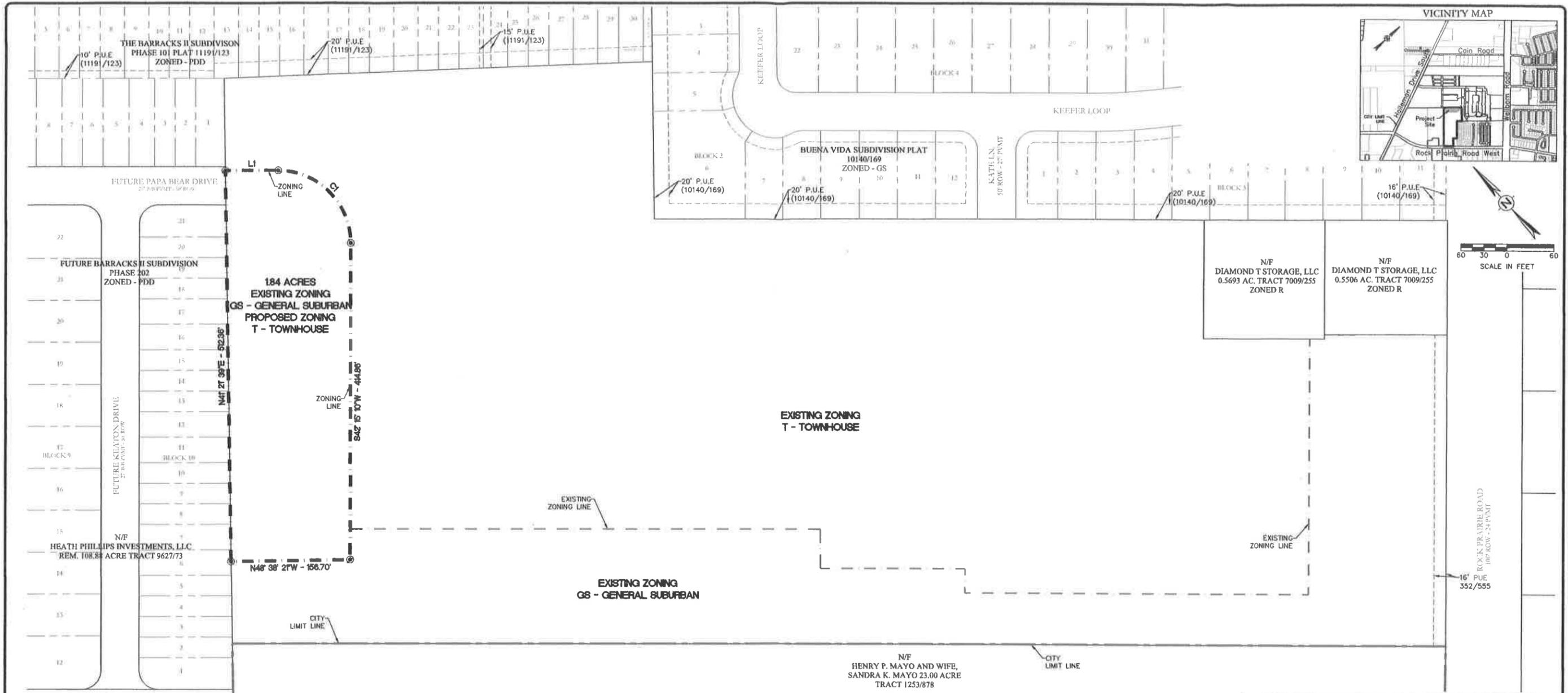
N 48° 38' 21" W FOR A DISTANCE OF 156.70 FEET TO THE COMMON LINE OF SAID 12.573 ACRE TRACT AND SAID REMAINDER OF 108.88 ACRE TRACT, FOR REFERENCE THE WEST CORNER OF SAID 12.573 ACRE TRACT BEARS: S 41° 21' 39" W FOR A DISTANCE OF 107.95 FEET;

**THENCE:** N 41° 21' 39" E ALONG THE COMMON LINE OF SAID 12.573 ACRE TRACT AND SAID REMAINDER OF 108.88 ACRE TRACT FOR A DISTANCE OF 512.36 FEET TO THE POINT OF BEGINNING CONTAINING 1.84 ACRES OF LAND, MORE OF LESS, AS SURVEYED ON THE GROUND. BEARING SYSTEM SHOWN HEREIN IS BASED ON GRID NORTH AS ESTABLISHED FROM GPS OBSERVATION.

BRAD KERR  
REGISTERED PROFESSIONAL  
LAND SURVEYOR No. 4502

D:/WORK/MAB/14-927.MAB





**LEGEND**

	REZONING LINE
	EASEMENT LINE
	PROPERTY LINE
	CITY OF COLLEGE STATION BOUNDARY

- NOTES:**
- BEARING SYSTEM SHOWN HEREON IS BASED ON GRID NORTH AS ESTABLISHED FROM GPS OBSERVATION.
- EASEMENT NOTES:**
- THE FOLLOWING BLANKET EASEMENTS DO APPLY TO THIS TRACT:
    - CITY OF BRYAN 98/95
    - SINCLAIR REFINING COMPANY 132/110
    - CITY OF BRYAN 589/635

LINE TABLE		
LINE #	LENGTH	DIRECTION
L1	69.66'	S47° 44' 50"E

Curve Table						
CURVE #	LENGTH	RADIUS	DELTA	TANGENT	CHORD	CHORD DIRECTION
C1	149.23'	95.00'	090°00'00"	95.00'	134.35'	S02°44'50"E

**ZONING MAP**

**1.84 ACRES**  
**12 AT ROCK PRAIRIE**  
**3270 ROCK PRAIRIE ROAD**  
**COLLEGE STATION, TEXAS**  
**EXISTING ZONING**  
**GS - GENERAL SUBURBAN**  
**PROPOSED ZONING**  
**T - TOWNHOUSE**  
**ROBERT STEVENSON LEAGUE, A-54**  
**COLLEGE STATION, BRAZOS COUNTY, TEXAS**

**SURVEYOR:**  
 David Kerr, RPLS No. 4562  
 Kerr Surveying, LLC  
 P.O. Box 269  
 College Station, TX 77841  
 (979) 266-3195

SCALE: 1" = 60'  
 DECEMBER 2014

**ENGINEER:**

**OWNER/APPLICANT:**  
 DW'S DEVELOPMENT, INC.  
 P.O. BOX 4508  
 BRYAN, TX 77805

14-289  
 12/9/14  
 4:40  
 AJ



## Legislation Details (With Text)

**File #:** 14-907      **Version:** 1      **Name:** UDO Amendments – MUD Review Authority and ETJ Subdivision Regulations

**Type:** Unified Development Ordinance      **Status:** Agenda Ready

**File created:** 12/17/2014      **In control:** Planning and Zoning Commission Regular

**On agenda:** 1/5/2015      **Final action:**

**Title:** Public hearing, presentation, possible action, and discussion regarding an ordinance amending Article 2, "Development Review Bodies" and Section 12-8.5.D, "Waiver of Lot Size" of Chapter 12, "Unified Development Ordinance" of the College Station Code of Ordinances regarding review authority for Municipal Utility Districts and the minimum lot size in the Extraterritorial Jurisdiction. Case #14-0900301 (L. Simms)

**Sponsors:** Lance Simms

**Indexes:**

**Code sections:**

**Attachments:** [Memo](#)  
[Redline of City Council Authority](#)  
[Redline of P&Z Authority](#)  
[Redline of Summary of Review Authority](#)  
[Redline of Lot Size Waiver](#)

Date	Ver.	Action By	Action	Result
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Public hearing, presentation, possible action, and discussion regarding an ordinance amending Article 2, "Development Review Bodies" and Section 12-8.5.D, "Waiver of Lot Size" of Chapter 12, "Unified Development Ordinance" of the College Station Code of Ordinances regarding review authority for Municipal Utility Districts and the minimum lot size in the Extraterritorial Jurisdiction. Case #14-0900301 (L. Simms)



CITY OF COLLEGE STATION

*Planning & Development Services*

1101 Texas Avenue, PO Box 9960

College Station, Texas 77842

Phone 979.764.3570 / Fax 979.764.3496

**MEMORANDUM**

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**TO:** Planning & Zoning Commission

**FROM:** Lance Simms, Director of Planning & Development Services

**DATE:** 5 January 2015

**SUBJECT:** UDO Amendments – MUD Review Authority and ETJ Subdivision Regulations

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Item

Public hearing, presentation, possible action, and discussion regarding an ordinance amending Article 2, "Development Review Bodies" and Section 12-8.5.D, "Waiver of Lot Size" of Chapter 12, "Unified Development Ordinance" of the College Station Code of Ordinances regarding review authority for Municipal Utility Districts and the minimum lot size in the Extraterritorial Jurisdiction.

Background

In November of 2008, the City Council approved several amendments to the Unified Development Ordinance (UDO) designed to address an increased rate of dense development within the City's Extraterritorial Jurisdiction (ETJ). One of the amendments established a minimum lot size of one acre in the ETJ. The UDO was also amended to prohibit the Planning & Zoning Commission from granting a waiver to the minimum lot size in the ETJ.

In March of 2014, the City Council approved a petition to authorize the creation of Brazos County Municipal Utility District (MUD) No. 1 in the ETJ. The MUD proposes to obtain water and wastewater service from the City and the development plan associated with the MUD proposes a variety of single-family lots sizes, all less than one acre in area.

This amendment removes the prohibition on granting waivers for the minimum lot size in the ETJ, provided the lots are part of a MUD approved by the City Council. If approved, the amendment would allow the MUD developer to request a waiver to the minimum one acre lot size requirement as part of the subdivision approval process.

This amendment also grants the Planning and Zoning Commission with the authority to review and recommend MUD consent applications. The final decision regarding the consent to form a MUD rests with the City Council.

Attachments

1. City Council Authority (redlined changes)
2. P&Z Authority (redlined changes)
3. Summary of Review Authority (redlined changes)
4. Lot Size Waiver (redlined changes)

# Unified Development Ordinance

## Article 2. Development Review Bodies

### Sec. 12-2.1. City Council.

#### A. **General.**

The City Council will be responsible for final action regarding the text of this UDO and the Official Zoning Map.

#### B. **Powers and Duties.**

As provided and established within the City of College Station Charter, the City Council has the following powers and duties regarding this UDO:

##### 1. **Appointments.**

The City Council shall have the responsibility of appointing and removing any member of the Planning and Zoning Commission (P&Z), Zoning Board of Adjustment (ZBA), Landmark Commission (LC), Design Review Board (DRB), and Bicycle, Pedestrian, and Greenways Advisory Board.

##### 2. **Final Action.**

The City Council shall hear and take final action on the following:

- a. Development agreements and oversize participation agreements for City participation in cost-sharing of infrastructure improvements;
- b. Conditional use permits;
- c. Zoning map amendments (rezoning);
- d. Concept Plans for Planned Development Districts (PDD) and Planned Mixed-Use Districts (P-MUD);
- e. Text amendments;
- f. Comprehensive Plan amendments;
- g. Impact fee land use decisions and Capital Improvement Plan (CIP) priorities;
- h. Annexations;
- i. Appeal of the P&Z's decision regarding a development exaction appeal;
- j. Appeal of the DRB's denial of a Gateway Grant;
- k. Appeal of the LC's denial of a Certificate of Appropriateness; ~~and~~
- l. Appeal of the LC's decision of a Certificate of Demolition; ~~and-~~
- m. Petitions to form a Municipal Utility District

## **Unified Development Ordinance**

### **Article 2. Development Review Bodies**

#### **Section 12-2.2**

##### **D. Powers and Duties.**

The Planning and Zoning Commission shall have the following powers and duties:

###### **1. Comprehensive Plan**

The Planning and Zoning Commission shall make recommendations for the effective coordination of the various City departments, committees, and boards, in implementing the Comprehensive Plan.

###### **2. Recommendations**

The Planning and Zoning Commission shall review and make recommendations to the City Council subject to the terms and conditions set forth for such uses in this UDO for the following:

- a.** Conditional use permits;
- b.** Zoning map amendments (rezoning);
- c.** Concept plans for Planned Development Districts (PDD) and Planned Mixed-Use Districts (P-MUD);
- d.** Text amendments;
- e.** Comprehensive Plan amendments;
- f.** Impact fee land use decisions;
- g.** Capital Improvement Plan (CIP) priorities; ~~and~~
- h.** Annexations; and-
- h.i.** Petitions to form a Municipal Utility District

## Unified Development Ordinance

### Article 2. Development Review Bodies

#### Sec. 12-2.12. Summary of Review Authority.

The following table summarizes the authority of the various review bodies and staff.

PROCEDURE	City Council	P&Z Comm.	Zoning Bd. of Adj.	Design Rev. Bd.	Land. Comm.	Bike, Ped. & Grnwy	Admin.	Building Official	Dev. Engr.
<b>CITY COUNCIL (CC)</b>									
Oversize Participation	D								RR
Development Agreement	D						RR		R
Conditional Use permit	D	R					RR		
Zoning Map Amendment	D	R					RR		
Zoning Map Amendment (HP)	D	R			R		RR		
PDD/P-MUD Concept Plan	D	R					RR		
Text Amendment	D	R				R	RR		
Comp. Plan Amendment	D	R				R	RR		
Impact Fee/CIP Priorities	D	R				R			RR
Annexations	D	R					RR		

<u>Municipal Utility Districts</u>	<u>D</u>	<u>R</u>					<u>RR</u>		
<b>PLANNING &amp; ZONING COMMISSION (P&amp;Z)</b>									
Preliminary Plan		D					RR		R
Final Plat		D					RR		R
Development Plat		D					RR		R
Waiver of Subdivision Standard		D					RR		R
Development Exaction Appeal	A	D							RR
<b>ZONING BOARD OF ADJUSTMENT (ZBA)</b>									
Variance			D				RR	R	RR
Administrative Appeal			D				RR		
Zoning Map Interpretation			D				RR		
<b>DESIGN REVIEW BOARD (DRB)</b>									
WPC District Site Plan		A		D			RR		R
WPC District Building/Sign Review		A		D			RR		
WPC Parking Waivers		A		D			RR		
NG Waivers				D			RR		
Non-Residential Arch. Stand. Waiver				D			RR		

Gateway Grants	A			D			RR		
<b>LANDMARK COMMISSION (LC)</b>									
Certificates of Appropriateness	A				D		RR		
Certificates of Demolition	A				D		RR		
<b>ADMINISTRATOR</b>									
Interpretation		A**	A				D		
Sign Permit			A				D		
Site Plan		A		A*			D		R
Administrative Adjustment			A				D		
WPC District Building or Sign, Minor			A				D		
Minor or Amending Plat		A					D		R
PD Concept Plan Minor Amend.		A					D		
Certificate of Appropriateness, Routine					A		D		
NG Roof Color Palette Amendment		A					D		
Alternative Parking Plans		A					D		

Determination of Plat Applicability		A					D		R
<b>BUILDING OFFICIAL (BO)</b>									
Building Permit								D	
Certificate of Occupancy							R	D	R
Certificate of Completion							R	D	R
<b>DEVELOPMENT ENGINEER (DE)</b>									
Development Permit									D
Driveway Application				A					D
Alternative Const. Material				A					D
<p>* Section 12-3.6.E. Site Plan Review Criteria and 12-3.7.E. Wolf Pen Creek Design District General Site Plan Review Criteria only.</p> <p>** Subdivision Regs. only. <b>KEY: A=Appeal R=Recommend D=Final Action/Decision RR=Review/Report</b></p>									

## Unified Development Ordinance

### Article 8. Subdivision Design and Improvements

#### Sec. 12-8.5. Waiver of Subdivision Standards.

- A. The Commission may authorize a waiver from the regulation when, in their opinion, undue hardship will result from requiring strict compliance. In granting a waiver, the Commission shall prescribe only conditions that it deems not prejudicial to the public interest. In making the findings hereinbefore required, the Commission shall take into account the nature of the proposed use of the land involved, the existing use of land in the vicinity, the number of persons who will reside or work in the proposed subdivision, the possibility that a nuisance will be created, and the probable effect of such waiver upon traffic conditions and upon public health, convenience, and welfare of the vicinity. No waiver shall be granted unless the Commission finds:
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;
  2. That the waiver is necessary for the preservation and enjoyment of a substantial property right of the applicant;
  3. That 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 this chapter; and
  4. That 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 this UDO.
- B. Such findings of the Commission shall be incorporated into the official minutes of the meetings at which such waiver is granted. Waivers may be granted only when in harmony with the general purpose and intent of this UDO so that public health, safety, and welfare may be secured and substantial justice done.
- C. **Waiver from Water Flow Requirements.**  
A waiver to fire flow provisions set out in the Water Facilities standards contained in this UDO is prohibited.
- D. **Waiver from Lot Size.**  
With the exception of lots located within a City-authorized Municipal Utility District, Aa waiver to the minimum lot size provisions set out in the Extraterritorial Jurisdiction Standards contained in this UDO is prohibited.