CITY OF COLLEGE STATION

Mayor
Ron Silvia
Mayor Pro Tempore
John Happ
Interim City Manager
Glenn Brown

Council Members
Ben White
Ron Gay
Susan Lancaster
Chris Scotti
Nancy Berry

Agenda
College Station City Council
Workshop and Regular Meetings
Thursday, March 09, 2006 3:00 PM
City Hall Council Chambers, 1101 Texas Avenue
College Station, Texas

1. Presentation, possible action, and discussion on items listed on the consent agenda.

2. Presentation, possible action, and discussion regarding the Bryan-College Station Community of Promise designation and related activities.

3. Presentation, possible action, and discussion regarding the naming of State Highway 40 and the renaming of Greens Prairie Road.

4. Presentation, possible action, and discussion regarding a public meeting held March 6, 2006 concerning the Longmire Drive detour which will be utilized while the SH 6 Frontage Road is pulled into the Texas Avenue and Deacon Drive intersection.

5. Presentation, possible action, and discussion on future agenda items: A Council 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.

6. Council Calendars

Mar 2	Groundbreaking at Veterans Park & Athletic Complex (Phase II Project) - 5:30 pm to 6:30 pm
Mar 4	2006 Clara Mounce Roast – Pebble Creek Country Club – 11:00 am to 2:00 pm
Mar 6	William Waldo Cameron Forum on Public Affairs – Annenberg Presidential Conference Center – noon – 1:30
Mar 7	Zoning Board of Adjustments Meeting – Public Hearing 5:00
Mar 9	United Way Recognition Luncheon – Hilton – 3:00 p.m.
Mar 9	Workshop and Regular Meeting of City Council 3:00 p.m.

Mar 11	Promotion Ceremony of Colonel Paul E. Crandall to Brigadier General – The Moore Memorial Reserve Center – 1:00 p.m.
Mar 20	Intergovernmental Committee Meeting – Noon – 1:30 p.m.
Mar 20	2006 Spring Girl's Fast Pitch Opening Ceremonies – Jane Pulley Softball Field #2 in Bee Creek Park – 6:00 p.m.
Mar 21	Council Transportation Committee Meeting – Administrative Conference Room 4:30 – 6:00 p.m.
Mar 21	The United States Air Force Band Presentation – Rudder Auditorium – 7:30 p.m. – 9:00 p.m.
Mar 23	Inner Circle Luncheon – Briarcrest Country Club 11:45 a.m.
Mar 23	Workshop and Regular Council Meeting 3:00 p.m.
Mar 30	2006 Women of Distinction Banquet – Hilton 6:00 – 8:30
Apr 5	Crompton Park Dedication 5:30 – 6:30 p.m.

7. Discussion, review and possible action regarding the following meetings: Brazos County Health Dept., Brazos Animal Shelter, Brazos Valley Council of Governments, Cemetery Committee, City Center, Design Review Board, Façade Improvement Program Advisory Committee, Fraternal Partnership, Historic Preservation Committee, Intergovernmental Committee and School District, Joint Relief Funding Review Committee, Library Committee, Making Cities Livable Conference, Metropolitan Planning Organization, Parks and Recreation Board, Planning and Zoning Commission, Sister City Association, TAMU Student Senate, The Research Valley Partnership, Transportation Committee, Wolf Pen Creek Oversight Committee, Wolf Pen Creek TIF Board, Zoning Board of Adjustments, (see attached posted notices for subject matters).

8. Executive Session will immediately follow the workshop meeting in the Administrative Conference Room.

Consultation with Attorney {Gov't Code Section 551.071}; possible action The City Council may seek advice from its attorney regarding a pending and contemplated litigation subject or settlement offer or attorney-client privileged information. Litigation is an ongoing process and questions may arise as to a litigation tactic or settlement offer, which needs to be discussed with the City Council. Upon occasion the City Council may need information from its attorney as to the status of a pending or contemplated litigation subject or settlement offer or attorney-client privileged information. After executive session discussion, any final action or vote taken will be in public. The following subject(s) may be discussed:

a. TCEQ Docket No. 2002-1147-UCR, Applications of Brushy Water Supply and College Station (Westside/Highway 60)
b. TCEQ Docket No. 2003-0544MWD, Application of Nantucket, Ltd.
c. TXU Lone Star Gas Rate Request.
d. Cause No. 03-002098-CV-85, *Brazos County, College Station v. Wellborn Special Utility District*

e. Civil Action No. H-04-4558, U.S. District Court, Southern District of Texas, Houston Division,
College Station v. U.S. Dept. of Agriculture, etc., and Wellborn Special Utility District
f. Civil Action No. H-04-3876, U.S. District Court, Southern District of Texas, Houston Division,
JK Development v. College Station
g. GUD No. 9530 – Gas Cost Prudence Review, Atmos Energy Corporation
h. GUD No. 9560 – Gas Reliability Infrastructure Program (GRIP) rate increases, Atmos Energy Corporation
i. Cause No. GN-502012, Travis County, *TMPA v. PUC* (College Station filed Intervention 7/6/05)
j. Legal Review and Advice Regarding M.O.U. and Related Documents for City Conference Center and Hotel
k. Claim regarding Autumn Chase plat

Real Estate {Gov't Code Section 551.072}; possible action
The City Council may deliberate the purchase, exchange, lease or value of real property if deliberation in an open meeting would have a detrimental effect on the position of the City in negotiations with a third person. After executive session discussion, any final action or vote taken will be in public. The following subject(s) may be discussed:

a. Aggie Field of Honor

Economic Incentive Negotiations {Gov't Code Section 551.087}; possible action
The City Council may deliberate on commercial or financial information that the City Council has received from a business prospect that the City Council seeks to have locate, stay or expand in or near the city with which the City Council in conducting economic development negotiations may deliberate on an offer of financial or other incentives for a business prospect. After executive session discussion, any final action or vote taken will be in public. The following subject(s) may be discussed:

a. The proposed city convention center and associated privately developed hotel

Personnel {Gov't Code Section 551.074}; possible action
The City Council may deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer. After executive session discussion, any final action or vote taken will be in public. The following public officer(s) may be discussed:

a. City Manager

9. Final Action on executive session, if necessary.

10. Adjourn.

APPROVED:

E-Signed by Mark Smith
VERIFY authenticity with ApproveIt

_____

Acting City Manager

Notice is hereby given that a Workshop Meeting of the City Council of the City of College Station, Texas will be held on the March 9, 2006 at the City Hall Council Chambers, 1101 Texas Avenue, College Station, Texas. The following subjects will be discussed, to wit: See Agenda
Posted this 6th day of March, 2006 at 2:00 p.m.

E-Signed by Connie Hooks
VERIFY authenticity with ApproveIt

_____

City Secretary

I, the undersigned, do hereby certify that the above Notice of Meeting of the Governing Body of the City of College Station, Texas, is a true and correct copy of said Notice and that I posted a true and correct copy of said notice on the bulletin board at City Hall, 1101 Texas Avenue, in College Station, Texas, and the City's website, www.cstx.gov . The Agenda and Notice are readily accessible to the general public at all times. Said Notice and Agenda were posted on March 6, 2006 at 2:00 p.m. and remained so posted continuously for at least 72 hours proceeding the scheduled time of said meeting.

This public notice was removed from the official board at the College Station City Hall on the following date and time: _____ by _____.

Dated this _____day of _____, 2006.
CITY OF COLLEGE STATION, TEXAS
By_____

Subscribed and sworn to before me on this the _____day of _____,
_____Notary Public – Brazos County, Texas
My commission expires:_____
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. Council meetings are broadcast live on Cable Access Channel 19.

Agenda
College Station City Council
Regular Meeting
Thursday, March 09, 2006 at 7:00 p.m.
City Hall Council Chamber, 1101 Texas Avenue
College Station, Texas

11. Pledge of Allegiance, Invocation, Consider absence requests

Hear Visitors: Any citizen may address the City Council on any item which does not appear on the posted Agenda. Registration forms are available in the lobby and at the desk of the City Secretary. This form should be completed and delivered to the City Secretary by 6:45 p.m. Please limit remarks to three minutes. A timer alarm will sound after 2 1/2 minutes to signal that you have thirty seconds remaining so that you may conclude your remarks. The City Council will receive the information, ask staff to look into the matter, or place the issue on a future agenda. Topics of operational concerns shall be directed to the City Manager.

Consent Agenda

Individuals who wish to address the City Council on a consent or regular agenda item not posted as a public hearing shall register with the City Secretary prior to the Mayor's reading of the agenda item. Registration forms are available in the lobby and at the desk of the City Secretary. The Mayor will recognize individuals who wish to come forward to speak for or against the item. The speaker will please state their name and address for the record and provided three minutes. A timer alarm will sound after 2 1/2 minutes to signal thirty seconds remaining so that the speaker may conclude your remarks.

Vision Statement I - Core Services – We will provide high quality customer focused basic city services at a reasonable cost.

12.1 Presentation, possible action, and discussion on approval of minutes for City Council Workshop and Regular Meeting for December 15, 2005, January 12, 2006, and January 26, 2006.

12.2 Presentation, possible action and discussion on consideration of an ordinance amending Chapter 3, "Building Regulations", Section 3, "Development of Streets", Paragraph J, "Use of Rights-of-Way for Public Conveniences and Amenities and for Private Improvements and Facilities" of the Code of Ordinances of the City of College Station, regarding indemnity requirements for Public Improvement Permits (PIP).

12.3 Presentation, possible action and discussion of a "Takeover Agreement" contract with XL Specialty Insurance Company for the completion of Fire Station #5.

12.4 Presentation, possible action and discussion regarding a resolution approving a construction contract with Texas Power Construction, Ltd., in the amount of $1,140,082.99 for the construction of the Spring Creek and Brazos Tie Transmission Line Construction Projects.

12.5 Presentation, possible action, and discussion regarding Bid#06-65, award for the purchase of various substation materials for the College Station Switch Station and Brazos Transmission Tie line project for a total amount of $151,481.24.

12.6 Presentation, possible action, and discussion authorizing expenditures not to exceed $250,000.00 and ratification of the purchase order for $7,028.33 to Rockwell Automation Inc. for electronic equipment to be used in various Capital Improvement projects.

12.7 Presentation, possible action, and discussion regarding the renewal of the annual contract for water and wastewater new service tap installation.

12.8 Presentation, possible action, and discussion regarding an agreement with the Texas Department of Transportation (TxDOT) for the relocation of electric utilities due to the widening of Wellborn Road, and the subsequent reimbursement for associated costs.

12.9 Presentation, possible action, and discussion regarding a change order in the amount of $112,406.86 to JaCody, Inc. for construction work associated with Phase II of the Wolf Pen Creek Upper Trails for a revised contract amount of $578,295.36.

12.10 Presentation, possible action, and discussion on consideration of an ordinance amending Chapter 10, Section 3E (2)(i)(10), of the College Station Code of Ordinances changing the posted speed limit on the section of Rock Prairie Road south of Greens Prairie Road from 35 mph to 50 mph.

12.11 Presentation, possible action, and discussion on consideration of an ordinance modifying Chapter 10, “Traffic Code,” Section 2.C and 2.D of the Code of Ordinances of the City of College Station by updating the Traffic Control Device Inventory – Schedules II and III. This ordinance changes the traffic control at the Victoria Avenue and Graham Road intersection from a two-way to a four-way stop controlled intersection.

12.12 Presentation, possible action, and discussion to approve a Pipeline Crossing Permit Agreement for the West Park Rehabilitation Project with Union Pacific rail road. The permit is required to bore under the railroad bed and install the sewer line.

12.13 Presentation, possible action and discussion on approving a resolution determining Pilger's Tire & Automotive as offering the best combination of price

and additional economic development opportunity for an annual agreement to purchase tires in an amount not to exceed $56,328.52.

12.14 Presentation, possible action and discussion approving a real estate contract that will authorize the purchase of 27.09 acres of land needed for the Cemetery Acquisition project. The property is owned by Gerald L. Kinman and Joyce N. Kinman and is located on the northwest side of Raymond Stotzer Parkway (FM 60), west of Harvey Mitchell Parkway (FM 2818), across from Easterwood Airport. The purchase price is $700,000.

Regular Agenda

Individuals who wish to address the City Council **on a regular agenda item not posted as a public hearing** shall register with the City Secretary prior to the Mayor's reading of the agenda item. The Mayor will recognize you to come forward to speak for or against the item. The speaker will state their name and address for the record and allowed three minutes. A timer alarm will sound after 2 1/2 minutes to signal thirty seconds remaining so that the speaker may conclude your remarks.

Individuals who wish to address the City Council on an item **posted as a public hearing** shall register with the City Secretary prior to the Mayor's announcement to open the public hearing. The Mayor will recognize individuals who wish to come forward to speak for or against the item. The speaker will state their name and address for the record and allowed three minutes. A timer alarm will sound after 2 1/2 minutes to signal thirty seconds remaining so that the speaker may conclude your remarks. After a public hearing is closed, there shall be no additional public comments. If Council needs additional information from the general public, some limited comments may be allowed at the discretion of the Mayor.

If an individual does not wish to address the City Council, but still wishes to be recorded in the official minutes as being in support or opposition to an agenda item, the individual may complete the registration form provided in the lobby by providing the name, address, and comments about a city related subject. These comments will be referred to the City Council and City Manager.

Vision Statement III – Planning and Development – We will provide a well planned community.

13.1 Public hearing, presentation, possible action, and discussion on consideration of an ordinance amending Chapter 12, "Unified Development Ordinance" (UDO) of the Code of Ordinances of the City of College Station, consisting of items considered to be ministerial in nature based on the 2005-2006 UDO Annual Review.

Vision Statement I - Core Services – We will provide high quality customer focused basic city services at a reasonable cost.

13.2 Presentation, possible action, and discussion regarding a resolution supporting the development and construction of the I-69 Trans Texas Corridor.

14. The City Council may convene the executive session following the regular meeting to discuss matters posted on the executive session agenda for March 9, 2006.

15. Final action on executive session, if necessary.

16. Adjourn.

If litigation issues arise to the posted subject matter of these Council Meetings an executive session will be held.

APPROVED:

Acting City Manager

Notice is hereby given that a Regular Meeting of the City Council of the City of College Station, Texas will be held on the Thursday, March 09, 2006 at 3:00 PM at the City Hall Council Chambers, 1101 Texas Avenue, College Station, Texas. The following subjects will be discussed, to wit: See Agenda.

Posted this the 6th day of March, 2006 at 2:00 p.m.

City Secretary

I, the undersigned, do hereby certify that the above Notice of Meeting of the Governing Body of the City of College Station, Texas, is a true and correct copy of said Notice and that I posted a true and correct copy of said notice on the bulletin board at City Hall, 1101 Texas Avenue, in College Station, Texas, and the City's website, www.cstx.gov . The Agenda and Notice are readily accessible to the general public at all times. Said Notice and Agenda were posted on March 6, 2006 at 2:00 p.m. and remained so posted continuously for at least 72 hours proceeding the scheduled time of said meeting.

This public notice was removed from the official posting board at the College Station City Hall on the following date and time: _____ by _____.

Dated this _____day of _____, 2006.
By_____

Subscribed and sworn to before me on this the _____day of _____, 2006.

_____
Notary Public – Brazos County, Texas My commission expires: _____

The 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 . Council meetings are broadcast live on Cable Access Channel 19.

March 9, 2006
Workshop
Community of Promise Youth Summit

To: Glenn Brown, Interim City Manager

From: Charles Wood, Assistant Director of Economic Development

Agenda Caption: Presentation, possible action, and discussion regarding the Bryan-College Station Community of Promise designation and related activities.

Summary: This item was requested to be placed on the City Council agenda when a similar presentation was made to the Inter-governmental Committee (IGC) in November of 2005. In June of 2005, Bryan-College Station received designation as a Community of Promise from America's Promise (www.americaspromise.org). This designation was the result of a cooperative effort between the local school districts, the Community Partnership Board and the cities. In order to receive the designation, the application was able to demonstrate that our community strives to meet the Five Promises for our children through the many different agencies and programs. The Five Promises encourage and enable kids to become happy, healthy, productive adults.

The Five Promises are:

- Caring Adults- ongoing relationships with caring adults – parents, mentors, tutors. or coaches – offer youth support, care, guidance and advocacy;
- Safe Places – Safe places with structured activities during non-school hours provide both physical and emotional safety;
- A Healthy Start – Adequate nutrition, exercise, and insurance for youth pave the way for healthy bodies, healthy minds and smart habits for adulthood;
- Marketable Skills – Marketable skills through effective education will help youth navigate the transition from school to work successfully;
- Opportunities to Serve – Opportunities to give back through community service enhance self-esteem, boost confidence, and heighten a sense of responsibility to the community.

To promote the Five Promises, several local activities are being planned including a kick-off event. The "Power of Five" Youth Summit for 6th - 8th graders in Bryan and College Station is scheduled for April 24th.

Staff from both the City of Bryan and College Station will present information related to the Community of Promise and the opportunities it provides to local youth.

Budget & Financial Summary: N/A

Attachments: N/A

March 9, 2006
Workshop Agenda
State Highway 40 Naming

To: Glenn Brown, Interim City Manager

From: Joey Dunn, Director of Planning and Development Services

Agenda Caption: Presentation, possible action, and discussion regarding the naming of State Highway 40 and the renaming of Greens Prairie Road.

Recommendation(s): The Traffic Management Team recommends that if Council decides to name SH 40, that the selected name also be used to rename Greens Prairie Road between SH 6 and SH 30.

Summary: At the November 22, 2005 City Council meeting, council asked for an item to be placed on a future agenda to discuss the naming of State Highway 40 (SH 40). TxDOT expects that SH 40 construction to be completed this summer. To accommodate SH 40, the alignments of Greens Prairie Road and Arrington Road have been modified. With these new alignments, Greens Prairie Road east of State Highway 6 (SH 6), will not align with Greens Prairie Road west of SH 6. Concerns have been raised by emergency services staff that this condition could lead to confusion for public safety responders attempting to navigate the area.

The Traffic Management Team discussed this item and recommends that when SH 40 is named, that name be used to rename Greens Prairie Road between SH 6 and SH 30. This will simplify addressing and navigation in the area.

The City of College Station's Public Facility Naming Guidelines includes the following criteria that should be considered when naming facilities:

- Neighborhood, geographic, or common usage identification;
- A historical figure, place, event, or other instance of historical or cultural significance;
- National and state historical leaders or heroes, both past and present;
- An individual (living or deceased) (a) who has made a significant land and/or monetary contribution to the park, recreation area, facility, or municipal building or (b) who has had the contribution made "In Memoriam" and when the name has been stipulated as a condition of the donation; or
- An individual (living or deceased) who has contributed outstanding civic service to the City;
- Predominant plant materials;
- Streams, rivers, lakes, and creeks.

Budget & Financial Summary: N/A

Attachments:

1. Guidelines for the Naming of Public Facilities
2. Location Map

REVISED DRAFT GUIDELINES FOR THE NAMING OF PUBLIC FACILITIES

CITY OF COLLEGE STATION, TEXAS

Purpose

The purpose of these guidelines is to establish a systematic and consistent approach for the official naming of public facilities in the City of College Station, including parks, facilities, recreational areas, streets and municipal buildings.

Objectives

- Ensure that parks, facilities, recreational areas, and municipal buildings are easily identified and located.
- Ensure that given names to parks, facilities, recreational areas, and municipal buildings are consistent with the values and character of the area or neighborhood served.
- Encourage public participation in the naming, renaming, and dedication of parks, facilities, recreational areas, and municipal buildings.
- Encourage the dedication of lands, facilities, or donations by individuals and/or groups;
- Advance the reputation of the City as well as increase the understanding and public support for its programs.

Criteria

The practice of the City of College Station is to name parks, recreation areas, facilities, and municipal buildings through an adopted process utilizing the above objectives emphasizing community values and character, local and national history, geography, the environment, civics and service to the City of College Station. Therefore, the following criteria shall be used in determining the appropriateness of the naming designation:

- Neighborhood, geographic, or common usage identification;
- A historical figure, place, event, or other instance of historical or cultural significance;
- National and state historical leaders or heroes, both past and present;
- An individual (living or deceased) (a) who has made a significant land and/or monetary contribution to the park, recreation area, facility, or municipal building or (b) who has had the contribution made "In Memoriam" and when the name has been stipulated as a condition of the donation; or
- An individual (living or deceased) who has contributed outstanding civic service to the City;
- Predominant plant materials;
- Streams, rivers, lakes, and creeks.

Facilities or specialized areas may have a name different from that of the larger park, recreation area, facility, or municipal building.

When feasible, the process to name parks, recreation areas, facilities, and municipal buildings should begin within 12 months after the City has acquired title to the land and/or formally accepted the dedication.

Names that are similar to existing parks, recreation areas, facilities, and municipal buildings should not be considered in order to minimize confusion.

Renaming

The City reserves the right to change the name of a park, recreation area, facility or municipal building to maintain consistency with these guidelines. However, renaming carries with it a much

greater burden of process compared to initial naming. Tradition and continuity of name and community identification are important community values. Each request to rename must meet the criteria of this policy, but meeting all criteria does not ensure renaming.

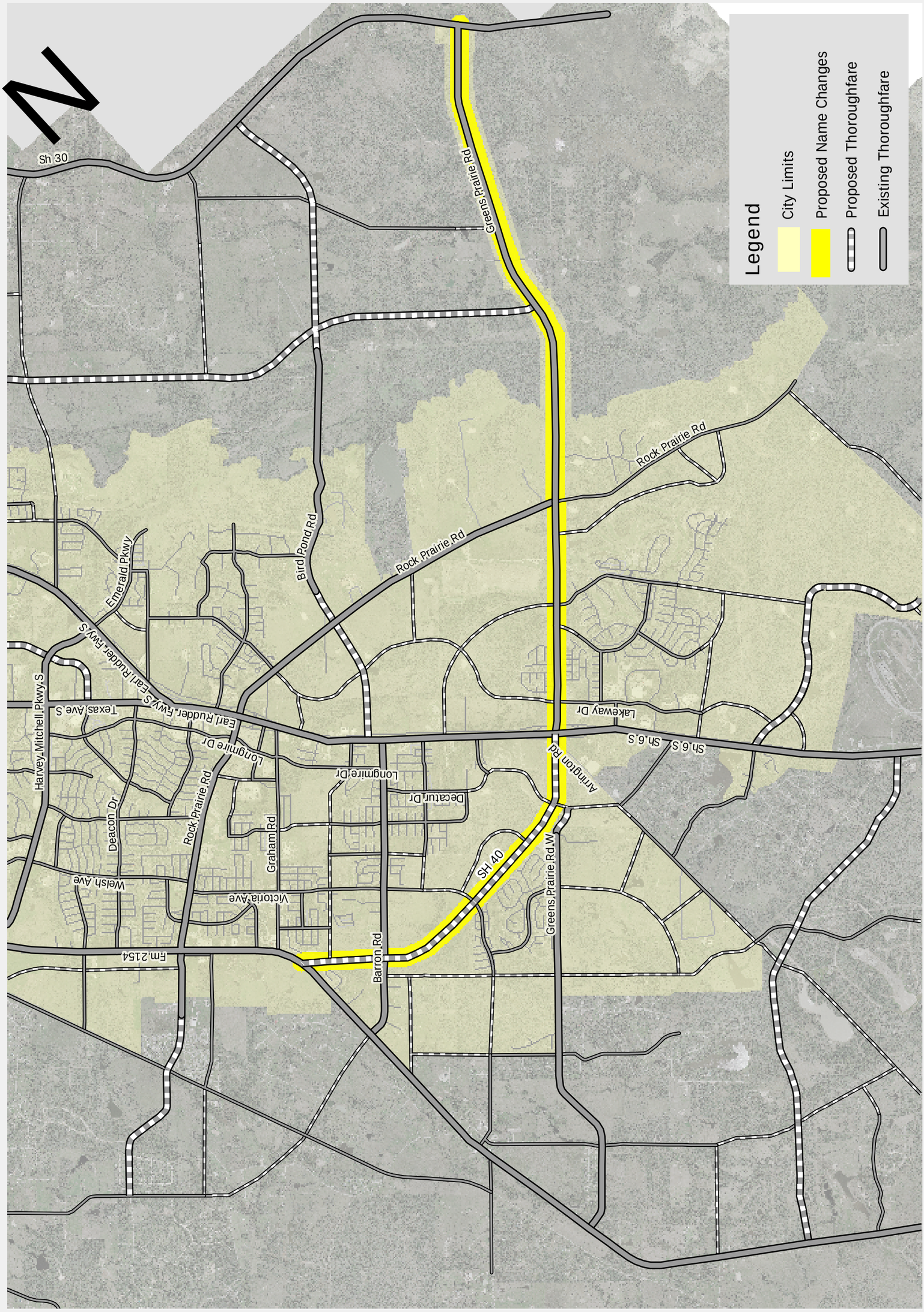
Procedures

Upon approval of these guidelines by Council, procedures consistent with the guidelines will be developed. It is anticipated that naming/renaming requests will be submitted to the City Manager. The Manager will then forward the request through an appropriate board, committee, or organization or directly to the City Council for approval. (For example, if the naming or renaming request is for a parks facility, the City Manger will submit the request to the Parks and Recreation Advisory Board who will review and make a recommendation. The City Manager will review that recommendation and then submit it to Council for approval.)

The City Council may, upon its own initiative name or rename a City facility without following these guidelines. An individual council member may submit a naming suggestion to the City Manager who will then apply the guidelines and procedures.

Proposed Name Changes:

SH 40 and Greens Prairie Road



March 9, 2006
Workshop Agenda
Council update on a Public Meeting regarding the Longmire detour

To: Glenn Brown, Interim City Manager

From: Charles McLemore, Acting Director of Public Works

Agenda Caption: Presentation, possible action, and discussion concerning the Longmire Drive detour which will be utilized while the SH 6 Frontage Road is pulled into the Texas Avenue and Deacon Drive intersection.

Recommendation(s): n/a

Summary: This will be a short presentation and discussion summing up a public meeting held March 6, 2006 by TxDOT regarding the SH 6 Ramp Improvement Project. The public meeting focused on the detour of traffic along Deacon Drive while the SH 6 Frontage Road is pulled into the Texas Avenue and Deacon Drive intersection.

Budget & Financial Summary: n/a

Attachments: n/a

CITY OF COLLEGE STATION

Mayor
Ron Silvia
Mayor Pro Tempore
John Happ
Interim City Manager
Glenn Brown

Council Members
Ben White
Ron Gay
Susan Lancaster
Chris Scotti
Nancy Berry

Draft Minutes
College Station City Council
Workshop and Regular Meetings
Thursday, December 15, 2005 at 2:00 and 7:00 p.m.
City Hall Council Chambers, 1101 Texas Avenue
College Station, Texas

COUNCIL MEMBERS PRESENT: Mayor Pro Tem Happ, Council members White, Gay, Lancaster, Scotti, Berry

COUNCIL MEMBER ABSENT: Mayor Silvia

STAFF PRESENT: Interim City Manager Brown, City Attorney Cargill Jr., City Secretary Hooks, Assistant City Secretary Casares

Mayor Pro Tem Happ called the meeting to order at 2:00 p.m.

Workshop Agenda Item No. 1 -- Presentation, discussion, and possible action on items listed on the consent agenda.

No items were removed for discussion at this time.

Workshop Agenda Item No. 2 -- Presentation, discussion, and possible action on the Internal Auditor position approved in the FY 05-06 budget and the creation of an audit committee.

Director of Finance and Strategic Planning Jeff Kersten noted that earlier this year the City Council adopted the Stewardship Enhancement Plan which included a recommendation for the addition of an internal audit function to aid management in fulfilling its oversight duties as effectively and efficiently as possible. Such function would assist management in preventing, detecting and deterring fraud by monitoring the design and proper functioning of internal control policies and procedures, evaluating fraud risks and controls, and recommending action to reduce or eliminate risks and improve controls. Also, included was a recommendation to form an audit committee that would be appointed by the City Council.

Mr. Kersten pointed out that the City Charter provides that the City Council appoints the City Manager, City Attorney, City Secretary, and Municipal Judge. The charter would have to be amended in order for the City Council to appoint an Internal Auditor.

Mr. Tom Willis of Ingram, Willis & Company described the responsibility of the Internal Auditor and answered questions of the City Council.

Council member Gay moved to approve the Internal Auditor position that was approved in the FY 2005-2006 budget, and adding the Charter amendment to the May 13, 2006 Election. Council member Lancaster seconded the motion, which carried unanimously, 6-0.

FOR: Happ, White, Gay, Lancaster, Scotti, Berry
AGAINST: None
ABSENT: Silvia

Council member Gay amended his motion to approve the creation of an audit committee. Council member Lancaster seconded the motion, which carried unanimously, 6-0.

FOR: Happ, White, Gay, Lancaster, Scotti, Berry
AGAINST: None
ABSENT: Silvia

Workshop Agenda Item No. 1 -- Presentation, discussion, and possible action on items listed on the consent agenda.

The City Council returned to Workshop Agenda Item No. 1.

13.7 – Presentation, possible action and discussion regarding approval of a contract with Young Contractors for the Rehabilitation of Rock Prairie Road, east of Greens Prairie Road, at a cost of $112,309.00. An exception to the competitive bidding process is being requested in order to preserve or protect the public health or safety of the City's residents.

Acting Director of Public Works Charles McLemore noted that the project is being built to the City's specifications and the City does not have a formal traffic study.

13.8 – Presentation, possible action, and discussion regarding approval of a contract for the procurement and installation of an Electronic Citation system for the Police Department with Advanced Public Safety, Inc. for an amount not to exceed $132,055.81, for additional hardware and software purchases from CISV vendors not to exceed $103,396, for modifications to the Court software not to exceed $4,600 by PCSS and for project contingency funds of $17,948.19 for a project total of $258,000.

Director of Office of Technology and Information Services Olivia Burnside explained that the system will eliminate the need for the records division to re-enter the information from a paper ticket and the need for Municipal Court staff to add additional information from the ticket.

13.14 - Presentation, possible action, and discussion on approving the budget of the Arts Council of Brazos Valley (ACBV); and presentation, possible action and discussion on a funding agreement between the City of College Station and the Arts Council of Brazos Valley for FY 06 in the amount of $200,000 for the affiliates of the ACBV.

Interim City Manager Glenn Brown described the budgeted funding source and the funding agreement between the City of College Station and the Arts Council of the Brazos Valley.

13.17 - Presentation, possible action, and discussion on a resolution selecting the law firm of Coats Rose and authorizing expenditures of up to $80,000 for legal services associated with the proposed Hotel Convention Center project.

City Attorney Harvey Cargill noted that the City's Legal Staff has reviewed this firm's qualifications and has determined that they are qualified to provide these types of legal services.

13.18 - Presentation, possible action, and discussion regarding the adoption of a resolution revising the fees for the collection of vital records.

City Secretary Connie Hooks illustrated the revision of fees for the collection of vital records.

13.20 – Presentation, possible action, and discussion on a Resolution approving a conveyance agreement to transfer ownership of 1202 Arizona, a single-family undeveloped property, to the local Habitat for Humanity affiliate.

Council member Berry requested that this item be removed for a separate vote.

Community Revitalization Coordinator Art Roach described the process of obtaining low to moderate income homes.

13.21 – Presentation, possible action, and discussion in consideration of an ordinance amending Chapter 10, "Traffic Code," Section 4E(3)(b) of the Code of Ordinances of the City of College Station allowing parking on a section of Dominik Drive.

Interim City Manager Glenn Brown noted that the proposed amendment would allow parking on the north side of Dominik Drive, beginning one hundred and twenty feet north of the intersection of Dominik Drive, Glenhaven Drive and ending at the Dominik Drive cul-de-sac.

13.24 - Presentation, possible action, and discussion on an amendment to the Community Development Division's FY 2005-06 Action Plan and Budget to provide federal CDBG funds to local agencies serving Hurricane Katrina evacuees.

Community Development Project Coordinator Debbie Eller clarified the amount of money that the City of College Station and City of Bryan would contribute to fund local agencies.

13.26 -Presentation, possible action, and discussion regarding repealing Ordinance #2793 on the implementation of the Rental Registration Program for duplex and single family rentals.

Council member Lancaster requested to remove this item from the Consent Agenda for a separate vote.

Workshop Agenda Item No. 3 -- Presentation, possible action, and discussion regarding a follow up report from the Senior Advisory Committee concerning recommendations for a Senior Center.

Senior Service Coordinator Marci Rodgers remarked that on July 28, 2005 the Senior Advisory Committee requested permission from the City Council to seek support and input from the community for a future Senior Citizens Center. The Senior Advisory Committee conducted two public meetings in September and six additional meetings with interested groups in October and November. Information from the meetings was included in a report. The report recommended a facility between 15,000 and 22,000 square feet containing meeting rooms, kitchen, dining areas, exercise facilities, Educational Programs, transportation, health services, and walking space.

Dr. Robert Meyer described the recommendations for a senior center.

Joanne Yeager presented a brief history and study of a senior center.

Ray Reed defined the urgency of a senior center.

Joe LeCour illustrated the practical side of a senior center.

Council member Berry directed staff to move forward with a fiscal impact analysis for the design of the proposed senior center. Council member Lancaster seconded the motion, which carried unanimously, 6-0.

FOR: Happ, White, Gay, Lancaster, Scotti, Berry
AGAINST: None
ABSENT: Silvia

Council recessed for a short break at 3:16 p.m. and reconvened the workshop meeting at 3:30 p.m.

Workshop Agenda Item No. 4 – Presentation, discussion and possible action regarding the City Center Project.

Mayor Pro Tem Happ remarked that this item was tabled on May 26, 2005 until after the Council's strategic planning retreat in June.

Council member Berry did not remove this item from the table.

Workshop Agenda Item No. 5 -- Presentation, possible action, discussion regarding a Request for Proposal for Legislative Consulting services for the City of College Station.

Manager of Special Projects and Legislative Affairs Don Fazzino noted that the City of College Station has contracted with Dean International for the last five years. The current contract with Dean International expires on December 31, 2005. Staff was authorized by the City Council to seek proposals for a transportation consultant and to include the City of Bryan and Brazos County in the RFP process. The City of Bryan notified us that they are not interested, and the Brazos County has not committed to participate at this time.

The scope of work includes assisting the City Council and City staff in the coordination and development of the City's state and federal legislative program. Their issues may include: public safety, law enforcement, business attraction and retention, infrastructure improvements, telecommunications, transportation, solid waste, environment, affordable housing, economic development, revenue enhancement, mandates, homeland security, and other issues.

The Council Transportation Committee recommended broadening the RFP to include the full range of service that could be used by the City. Staff recommended proceeding with the RFP process.

Council member Gay directed staff to move forward with the RFP process for legislative consulting services for the City of College Station as recommended by staff. Council member White seconded the motion, which carried by a vote of 4-2.

FOR: White, Gay, Scotti, Berry
AGAINST: Happ, Lancaster
ABSENT: Silvia

Workshop Agenda Item No. 6 -- Presentation, discussion, and possible action on future agenda items: A Council 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.

Council member Gay requested an agenda item regarding a juvenile curfew for the City of College Station. Council member Lancaster seconded the motion, 6-0.

FOR: Happ, White, Gay, Lancaster, Scotti, Berry
AGAINST: None
ABSENT: Silvia

Council member White requested an agenda item regarding trash problems along the bypass within the City of College Station. Mayor Pro Tem Happ seconded the motion, which carried unanimously, 6-0.
FOR: Happ, White, Gay, Lancaster, Scotti, Berry
AGAINST: None
ABSENT: Silvia

Council member Scotti requested an agenda item regarding the relocation of City Hall. Council member White seconded the motion, which carried unanimously, 6-0.

FOR: Happ, White, Gay, Lancaster, Scotti, Berry
AGAINST: None
ABSENT: Silvia

Workshop Agenda Item No. 7 – Council Calendars

Agenda Planning Calendar

Dec. 12-14 Attorney General Open Meetings Conference – Austin, TX.
Dec. 12 Economic Outlook Luncheon – Hilton – 11:30 a.m.
Dec. 12 Fraternal Partnership Committee Meeting – 5:30 p.m-Adm Conf Rm
Dec. 13 Chamber of Commerce Meeting 8:00 a.m.
Dec. 14 Joint Council/P&Z Meeting – 4:00 p.m. Council Chambers
Dec. 15 Workshop and Regular Council Meeting, 2:00 pm and 7:00 pm
Dec. 19 Intergovernmental Committee, Noon Adm Conf. Room CS City Hall
Dec. 23 Holiday – Office Closed
Dec. 26 Holiday – Office Closed
Jan. 2 Holiday – Office Closed
Jan. 12 Workshop and Regular Council Meeting 3:00 and 7:00 p.m.
Jan. 16 Holiday – Office Closed

City Secretary Connie Hooks presented an overview of the proposed 2006 City Council calendar.

Workshop Agenda Item No. 8 -- Discussion, review and possible action regarding the following meetings: Brazos County Health Department, Brazos Animal Shelter, Brazos Valley Council of Governments, Cemetery Committee, City Center, Design Review Board, Façade Improvement Program Advisory Committee, Fraternal Partnership, Historic Preservation Committee, Intergovernmental Committee and School District, Joint Relief Funding Review Committee, Library Committee, Making Cities Livable Conference, Metropolitan Planning Organization, Parks and Recreation Board, Planning and Zoning Commission, Sister City Association, TAMU Student Senate, The Research Valley Partnership, Transportation Committee, Wolf Pen Creek Oversight Committee, Wolf Pen Creek TIF Board, Zoning Board of Adjustments.

Council member Gay presented highlights of the Chamber of Commerce Legislative Affairs Committee.

Council member Scotti commented on the relocation of the Research Valley Partnership meeting.
Mayor Pro Tem Happ expressed comments from the Tex-21 Meeting.

Workshop Agenda Item No. 9 – Executive Session

At 4:02 p.m., Mayor Silvia announced in open session that the City Council would convene into executive session pursuant to Sections 551.071, 551.072, 551.074 and 551.087 of the Open Meetings Act, to seek the advice of our attorney with respect to pending and contemplated litigation, to consider the purchase of real property, the evaluation of a public officer and economic development negotiations.

Consultation with Attorney {Gov't Code Section 551.071}

a. TCEQ Docket No. 2002-1147-UCR, Applications of Brushy Water Supply and College Station (Westside/Highway 60)
b. TCEQ Docket No. 2003-0544MWD, Application of Nantucket, Ltd.
c. TXU Lone Star Gas Rate Request.
d. Cause No. 03-002098-CV-85, *Brazos County, College Station v. Wellborn Special Utility District*
e. Civil Action No. H-04-4558, U.S. District Court, Southern District of Texas, Houston Division,
College Station v. U.S. Dept. of Agriculture, etc., and Wellborn Special Utility District
f. Civil Action No. H-04-3876, U.S. District Court, Southern District of Texas, Houston Division,
JK Development v. College Station
g. GUD No. 9530 – Gas Cost Prudence Review, Atmos Energy Corporation
h. GUD No. 9560 – Gas Reliability Infrastructure Program (GRIP) rate increases, Atmos Energy Corporation
i. Cause No. GN-502012, Travis County, *TMPA v. PUC* (College Station filed Intervention 7/6/05)
j. Gas Reliability Infrastructure Program (GRIP) 2004
k. Resolution ordering Atmos Energy to show just cause

Economic Incentive Negotiations {Gov't Code Section 551.087}; possible action
The City Council may deliberate on commercial or financial information that the City Council has received from a business prospect that the City Council seeks to have locate, stay or expand in or near the city with which the City Council in conducting economic development negotiations may deliberate on an offer of financial or other incentives for a business prospect. After executive session discussion, any final action or vote taken will be in public. The following subject(s) may be discussed:

1. The proposed city convention center and associated privately developed hotel
2. Retail, restaurant, and office development – northwest corner of Highway 6 and Greens Prairie Road
3. Game Day Centers mixed use redevelopment – Church Avenue and Wellborn Road in Northgate

Real Estate {Gov't Code Section 551.072}; possible action
The City Council may deliberate the purchase, exchange, lease or value of real property if deliberation in an open meeting would have a detrimental effect on the position of the City in negotiations with a third person. After executive session discussion, any final action or vote taken will be in public. The following subject(s) may be discussed:

Aggie Field of Honor

Personnel {Gov't Code Section 551.074}; possible action
The City Council may deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer. After executive session discussion, any final action or vote taken will be in public. The following public officer(s) may be discussed:

Council Self-evaluation

Workshop Agenda Item No. 10 – Final Action on executive session, if necessary.

Council returned from executive session at 6:59 p.m. No action was taken.

Regular Meeting

Mayor Pro Tem Happ called the regular meeting to order at 7:00 p.m. He led the audience in the pledge of allegiance. Pastor Kip R. Gilts from A&M United Methodist Church provided the invocation.

Council member Gay moved to approve the absence request from Mayor Silvia. Council member Scotti seconded the motion, which carried unanimously, 6-0.

FOR: Happ, White, Gay, Lancaster, Scotti, Berry
AGAINST: None

Mr. M.A. Sterling and the Brazos Valley Troup performed for the City Council and the Citizens of College Station.

Mayor Ernie Wentrcek presented Mayor Pro Tem Happ the Brazos Boot award.

Hear Visitors

Ms. Karen Hall, 5918 East Highway 21, asked the City Council to clarify the power of Eminent Domain in the City of College Station City Charter.

Mr. Hugh Sterns, 316 Suffolk, expressed concerns on the Unified Development Ordinance process.

Consent Agenda

13.1 Approved by common consent an amendment to an Interlocal Agreement between the cities of Bryan and College Station providing for sharing the cost of an agreement with TEEX for technical assistance in the development of uniform drainage design guidelines for College Station and Bryan.

13.2 Approved by common consent an amendment adding 122 days and $5,600 to a contract between the City and TEEX for technical assistance in the development of uniform drainage design guidelines for College Station and Bryan.

13.3 Approved by common consent Change Order #2 to Professional Services Contract 03-139 with Mitchell and Morgan, LLP for engineering services for the Annexation Sewer Collection Project, increasing the contract by $3,200.00 for a revised contract amount of $213,945.00.

13.4 Approved by common consent **Resolution No. 12-15-2005-13.04** awarding the bid and approving a construction contract (Contract No. 06-28) with Elliott Construction in the amount not to exceed $296,642.90 for construction of the Steeplechase Sewer Impact Fee Line Project, Phase 1.

13.5 Approved by common consent **Resolution No. 12-15-2005-13.05** awarding the bid #06-21 and approving a construction contract (Contract No. 06-001) with Acklam Construction, Inc. in an amount of $362,741.00, for the construction of Steeplechase Park.

13.6 Approved by common consent a Pipeline Crossing Permit Agreement for the Steeplechase Sewer Impact Fee Project with Union Pacific Railroad. The permit is required to bore under the railroad bed and install the sewer line.

13.7 Approved by common consent a contract with Young Contractors for the Rehabilitation of Rock Prairie Road, east of Greens Prairie Road, at a cost of $112,309.00. An exception to the competitive bidding process is being requested in order to preserve or protect the public health or safety of the city's residents.

13.8 Approved by common consent a contract for the procurement and installation of an Electronic Citation system for the Police Department with Advanced Public Safety, Inc. for an amount not to exceed $132,055.81, for additional hardware and software purchases from CISV vendors not to exceed $103,396, for modifications to the Court software not to exceed $4,600 by PCSS and for project contingency funds of $17,948.19 for a project total of $258,000.

13.9 Approved by common consent renewal of Collection Agreements for delinquent accounts in Utilities, Municipal Ambulance Services and other miscellaneous revenue; and Municipal Court Fines/Fees for an estimated annual expenditure of $100,000.00 to American Municipal Services Company.

13.10 Approved by common consent a renewal agreement to Brenco Marketing Corp. for gasoline and diesel fuel with annual estimated expenditures totaling $1,267,340.00.

13.11 Approved by common consent a funding agreement between the City of College Station and Keep Brazos Beautiful for FY 06 in the amount of $45,000.

13.12 Approved by common consent the budget of the African American National Heritage Society (AANHS); and approved by common consent a funding agreement between the City of College Station and the African American National Heritage Society for FY 06 in the amount of $17,000.

13.13 Approved by common consent the budget of the Brazos Valley Museum of Natural History; and presentation, approved by common consent a funding agreement between the City of College Station and the Brazos Valley Museum of Natural History for FY 06 in the amount of $12,000.

13.14 Approved by common consent the budget of the Arts Council of Brazos Valley (ACBV); and approved by common consent a funding agreement between the City of College Station and the Arts Council of Brazos Valley for FY 06 in the amount of $200,000 for the affiliates of the ACBV.

13.15 Approved by common consent **Resolution No. 12-15-2005-13.15** approving landscape maintenance contracts with Rainbow Gardens in the amount of $47,283.00 and Landscape USA in the amount of $23,170.00.

13.16 Approved by common consent **Resolution No. 12-15-2005-13.16** awarding construction Contract No. 06-034 to W.W. Payton Corp. to construct two water wells in minor aquifers. The amount of the contract is $1,723,000.

13.17 Approved by common consent **Resolution No. 12-15-2005-13.17** selecting the law firm of Coats Rose and authorizing expenditures of up to $80,000 for legal services associated with the proposed Hotel Convention Center project.

13.18 Approved by common consent the adoption of a resolution revising the fees for the collection of vital records.

13.19 Approved by common consent **Needs Resolution No. 12-15-2005-13.19** for a Public Utility Easements for the Water Service Extension Project. The easements are along the west side of Hwy 6, South, south of Greens Prairie Road.

13.20 Approved by common consent **Resolution No. 12-15-2005-13.20** conveyance agreement to transfer ownership of 1202 Arizona, a single-family undeveloped property, to the local Habitat for Humanity affiliate. *Council member Berry abstained from this item.*

13.21 Approved by common consent **Ordinance No. 2854** amending Chapter 10, "Traffic Code," Section 4E(3)(b) of the Code of Ordinances of the City of College Station allowing parking on a section of Dominik Drive.

13.22 Approved by common consent a request for Oversize Participation (OP) for a water line improvement for the Quality Suites Hotel located at 3610 Hwy 6 South on Lots 5 through 10 in the Southwood Valley Subdivision Phase 4, being made per City Code of Ordinances, Chapter 9, Subdivision Regulations, Section 9, Responsibility for Payment for Installation Costs, 9-A Oversized Participation in the amount of $30,067.00.

13.23 Approved by common consent a request for Oversize Participation (OP) for a sanitary sewer improvement for the Ameri Suites Hotel on Lot 1 R, Block 1 of the Wheeler Subdivision Phase 2 being made per City Code of Ordinances, Chapter 9, Subdivision Regulations, Section 9, Responsibility for Payment for Installation Costs, 9-A Oversized Participation in the amount of $5,454.00.

13.24 Approved by common consent an amendment to the Community Development Division's FY 2005-06 Action Plan and Budget to provide federal CDBG funds to local agencies serving Hurricane Katrina evacuees.

13.25 Approved by common consent an Advance Funding Agreement (AFA) with the Texas Department of Transportation (TxDOT) to paint the existing signal poles at the FM 2154 (Wellborn Road) and Rock Prairie Road intersection as part of the Texas Department of Transportation's project to widen FM 2154 between FM 2818 and SH 40. The estimated cost of the City's participation is $7,500.

13.26 Presentation, discussion and possible action regarding repealing Ordinance #2793 on the implementation of the Rental Registration Program for duplex and single family rentals. Council member Gay move to approve **Ordinance No. 2855** repealing Ordinance No 2793 on the implementation of the Rental Registration Program for duplex and single family rentals. Council member Berry seconded the motion, which carried by a vote of 5-1.

FOR: Happ, White, Gay, Scotti, Berry
AGAINST: Lancaster
ABSENT: Silvia

Regular Agenda

Regular Agenda Item No. 14.1 – Public hearing, presentation, discussion, of an ordinance abandoning a portion of Christine Lane.

Director of Public Works Mark Smith commented that the property owner and developer requested the abandonment of a portion of Christine Lane that stretches along the North side of the O.D. Butler tract from Wellborn Road to the rear of the CSISD administration building. The roadway was not dedicated to the City by plat or deed but was considered

a public street by use only. The proposed ordinance abandons the area for use as a roadway and retains a public utility easement. Neither adjacent property owners nor utility companies object to the proposed abandonment of this section of roadway. The purpose of the abandonment would facilitate the proposed Woodlands development.
Staff recommended approval of the proposed ordinance abandoning a portion of Christine Lane.

Mayor Pro Tem Happ opened the public hearing.

Chuck Ellison, 302 Holleman Drive East, Suite 76, offered to answer question of the City Council.

Council member Gay moved to approve **Ordinance No. 2856** abandoning a portion of Christine Lane. Council member White seconded the motion, which carried by a vote of 5-1.

FOR: Happ, White, Gay, Scotti, Berry
AGAINST: Lancaster
ABSENT: Silvia

Regular Agenda Item No. 14.2 – Public hearing, presentation, possible action, and discussion on two Comprehensive Plan Amendments for an area totaling 82.2 acres; Part A consists of 26.3 acres and is located at the intersection of Arrington Road at Greens Prairie Road to amend the Land Use Plan from a combination of Institutional and Regional Retail to exclusively Regional Retail; Part B consists of 55.9 acres located between Greens Prairie Road and Arrington Road to amend the Land Use Plan from Single-family Residential Medium Density to Regional Retail and from Single-family Residential Medium Density to Residential Attached.

Senior Planner Trey Fletcher presented the Comprehensive Plan Amendments. This request is consistent with the current Comprehensive Plan policy which encourages regional retail to be centralized around major intersections within the community.

Part A: The Planning and Zoning Commission and staff recommended approval of the request as submitted.

Part B: The Planning and Zoning Commission and staff recommended approval of the request to amend the Land Use Plan from Single-family Residential to Regional Retail as submitted, but recommended denial of the request to amend the plan from Single-family Residential to Residential Attached as submitted.

Mayor Pro Tem Happ opened the public hearing Part A.

The following citizens spoke in favor of the amendments.

Joe Schultz, 1707 Graham Road

Jim Jett, 5004 Congressional Ct.

The following citizen spoke in favor of the amendments for Park B.

Joe Schultz, 1707 Graham Road
Jim Jett, 5004 Congressional Ct.

Council member Berry moved to approve **Ordinance No. 2857** amending the Comprehensive Plan for an area of 26.3 acres located at the intersection of Arrington Road at Greens Prairie road amending the Land Use Plan from a combination of Institutional and Regional retail to Exclusively Regional Retail. Council member Lancaster seconded the motion, which carried unanimously, 6-0.

FOR: Happ, White, Gay, Lancaster, Scotti, Berry
AGAINST: None
ABSENT: Silvia

Council member Berry moved to approve **Ordinance No. 2858** amending the Land Use Plan for an area of 55.9 acres located between Greens Prairie Road and Arrington Road from Single-family Residential Medium Density to Regional Retail, with staff recommendation. Council member Lancaster seconded the motion, which carried unanimously, 6-0.

FOR: Happ, White, Gay, Lancaster, Scotti, Berry
AGAINST: None
ABSENT: Silvia

Regular Agenda Item No. 14.3 -- Public hearing, presentation, possible action, and discussion on a Comprehensive Plan Amendment to amend the Land Use Plan from Industrial/R&D to Residential Attached and Regional Retail for an area consisting of 22.62 acres and generally located north of Raymond Stotzer Parkway (FM 60) between Turkey Creek Road and FM 2818. (05-0500186)

Senior Planner Trey Fletcher remarked that the property owner requested to amend the Land Use Plan prior to processing rezoning requests for R-4 Multi-Family and C-1 General Commercial. The Unified Development Ordinance requires that zoning map amendment must be in compliance with the Comprehensive Plan. The property owner proposed luxury multi-family and high end retail uses are planed.

The Planning and Zoning Commission recommended approval of the amendment; however staff recommenced denial of the request as submitted, due to its conflict with the F&M Small Area Plan.

Mayor Pro Tem Happ opened the public hearing.

Greg Taggart, Municipal Development Group, spoke in favor of the Comprehensive Plan amendment.

Robert Aiello, Project Developer, spoke in favor of the Comprehensive Plan amendment.

Mayor Pro Tem Happ closed the public hearing.

Council member Berry moved to deny the Comprehensive Plan Amendment. Council member White seconded the motion, which carried unanimously, 6-0.

FOR: Happ, White, Gay, Lancaster, Scotti, Berry
AGAINST: None
ABSENT: Silvia

Regular Agenda Item No. 14.4 --Public hearing, presentation, possible action, and discussion regarding an ordinance amending Chapter 9, "SUBDIVISIONS" OF THE CODE OF ORDINANCES OF THE CITY OF COLLEGE STATION, TEXAS, by amending certain sections of the parkland dedication ordinance; providing a severability clause; declaring a penalty; and providing an effective date.

Director of Parks and Recreation Steve Beachy presented a brief overview of the history of the proposed amendment. He described the following proposed changes:

Section 1: Defines process for "phased" subdivision development.
Section 2: Provides administrative approval for small developments.
Section 4: Provides methodology for the developer to construct a park
Section 10: Provides warranty requirements for park improvements

The Parks and Recreation Board, Planning and Zoning Commission and staff recommenced approval of the proposed amendment to the parkland dedication ordinance.

Mayor Pro Tem Happ opened the public hearing.

No one spoke.

Mayor Pro Tem Happ closed the public hearing.

Council member Gay moved to approve **Ordinance 2859** amending Chapter 9, "Subdivisions" of the Code of Ordinances of the City of College Station, Texas by amending certain sections of the parkland dedication ordinance; providing a severability clause; declaring a penalty; and providing an effective date. Council member Lancaster seconded the motion, which carried unanimously, 6-0.

FOR: Happ, White, Gay, Lancaster, Scotti, Berry
AGAINST: None
ABSENT: Silvia

Regular Agenda Item No. 14.5 –Presentation, possible action, and discussion on the 2005 Gainsharing Distribution.

Director of Finance and Strategic Planning Jeff Kersten noted that Gainsharing is a program designed to share with the employees the successes of being efficient, highly productive, innovative and creative. Gainsharing is a component of the City's compensation system and is a tool to encourage employees to find ways to reduce cost and generate budget savings. The savings are shared throughout the city and the employees. The total savings for 2005 was $624,943.

Two thirds of this total, $416,629, remains in the fund it was saved in. Approximately one third, $208,314, is available to Gainsharing distribution to employees.

Staff recommended approval of the 2005 Gainsharing distribution to eligible employees.

Council member Lancaster moved to approve 2005 Gainsharing distribution to eligible employees. Council member Berry seconded the motion, which carried unanimously, 6-0.

FOR: Happ, White, Gay, Lancaster, Scotti, Berry
AGAINST: None
ABSENT: Silvia

Workshop Agenda Item No. 14.6 – Presentation, possible action, and discussion regarding an interlocal agreement between the City of College Station and Brazos County regarding animal control services.

Interim City Manager Glenn Brown remarked that Brazos County asked the cities of College Station and Bryan to provide animal control services within the County outside city limits. College Station would be responsible for the geographic area south of a line including University Drive in the west, proceeding to FM 158, and ending with State Highway 30 in the east. The City of Bryan would be responsible for the area north of that line.

The County will pay the City an amount not to exceed $77,000 for the first year of services.

Council member Gay moved to approve an interlocal agreement between the City of College Station and Brazos County regarding animal control services. Council member White seconded the motion, which carried unanimously, 6-0.

FOR: Happ, White, Gay, Lancaster, Scotti, Berry
AGAINST: None
ABSENT: Silvia

Workshop Agenda Item No. 14.7 – Presentation, possible action, and discussion regarding a Memorandum of Understanding among the City of College Station, LMZ Ventures, LTD., and Presidian Destinations, LTD. for the hotel and convention center project.

Director of Community and Economic Development Kim Foutz noted that the Memorandum of Understanding (MOU) outlines the responsibilities of the City, LMZ Ventures, LTD., (LMZ) and Presidian Destinations, LTD. regarding development and operation of the full service hotel and convention center.

The following primary provisions and role in the Memorandum of Understanding include the following:

- City, as owner of the convention center, is responsible for the financing, construction, and equipping of approximately 37,800-47,800 net leasable s.f. convention center with a cost not to exceed $25 million. The Convention Center will have a grand ballroom, junior ballroom, exhibit hall, and a break-out meeting space.
- LMZ, as owner of the hotel, is responsible for the financing and construction of a full service hotel and optional residential condos with a minimum capital investment of $37,500,000. The hotel will include a 250 room-full service hotel and restaurant with a Marriott brand or brand acceptable to the City.
- The contract provides for a nine month process to construction.
- The contract establishes a per-square-foot sale price and an approximate size for the City-owned portion of the site.
- Negotiation and execution of all necessary agreements including the Development, Project Management, Operating, Management, Pre-opening, and Real Estate Agreements
- Presidian would manage the Hotel, Convention Center, Shared Facilities, and a jointly owned Parking Garage on behalf of the City pursuant to Management and Operating Agreements and Parking Garage Lease.
- LMZ will serve as Project Manager pursuant to a Project Management Agreement. Services will include coordination and oversight of the planning, design, construction, and installation of the furniture, fixtures and equipment of the convention center. City has final design control.
- The obligations of the City are contingent upon participation by the County in the Tax Increment Finance District.
- LMZ will convey fee simple ownership of a portion of the 4 acre site to the City which is located on Church Avenue on the undeveloped "mud lot".

Mr. Hub Kennedy expressed comments regarding the Hotel and Convention Center.

Council member Scotti moved to approve a Memorandum of Understanding among the City of College Station, LMZ Ventures, LTD., and Presidian Destinations, LTD. for the hotel and convention center project. Council member Gay seconded the motion, which carried unanimously, 6-0.

FOR: Happ, White, Gay, Lancaster, Scotti, Berry
AGAINST: None
ABSENT: Silvia,

Regular Agenda Item No. 14.8 – Presentation, possible action, and discussion on appointments for College Station representatives on the Joint Relief Funding Review Committee, the B-CS Library Board, and the Wolf Pen Creek TIF Board.

City Secretary presented an overview of the various board appointments.

B-CS Library Advisory Board

Council member Gay moved to re-appoint Larry Ringer and Mary Fran Troy to the B-CS Library Board. Council member Lancaster seconded the motion, which carried unanimously, 6-0.

FOR: Happ, White, Gay, Lancaster, Scotti, Berry
AGAINST: None

Wolf Pen Creek TIF Board

Council member Scotti moved to re-appoint Sharon Colson and Marsha Sanford to the Wolf Pen Creek TIF Board. Council member White seconded the motion, which carried unanimously, 6-0.

FOR: Happ, White, Gay, Lancaster, Scotti, Berry
AGAINST: None

Joint Relief Funding Review Committee

Council member White moved to re-appoint Mary Sherwood and Kevin Byrne to the Joint Relief Funding Review Committee. Council member Lancaster seconded the motion, which carried unanimously, 6-0.

FOR: Happ, White, Gay, Lancaster, Scotti, Berry
AGAINST: None

Regular Agenda Item No. 15 – The City Council may convene the executive session following the regular meeting to discuss matters posted on the executive session agenda for December 15, 2005.

Council completed executive session prior to the regular meeting.

Regular Agenda Item No. 16 -- Final Action on executive session, if necessary.

No action was taken.

Regular Agenda Item No 17 -- Adjourned.

Hearing no objections, the meeting adjourned at 9:08 p.m. Thursday, December 15, 2005.

PASSED AND APPROVED this 23rd day of February, 2006.

APPROVED:

_____
Mayor Ron Silvia

ATTEST:

_____
City Secretary Connie Hooks

CITY OF COLLEGE STATION

Mayor
Ron Silvia
Mayor Pro Tempore
John Happ
Interim City Manager
Glenn Brown

Council Members
Ben White
Ron Gay
Susan Lancaster
Chris Scotti
Nancy Berry

Draft Minutes
College Station City Council
Workshop and Regular Meetings
Thursday, January 12, 2006 at 3:00 and 7:00 p.m.
City Hall Council Chambers, 1101 Texas Avenue
College Station, Texas

COUNCIL MEMBERS PRESENT: Mayor Silvia, Mayor Pro Tem Happ, Council members White, Lancaster, Scotti, Berry

COUNCIL MEMBER ABSENT: Gay

STAFF PRESENT: Interim City Manager Brown, City Attorney Cargill Jr., City Secretary Hooks, Assistant City Secretary Casares

Mayor Silvia called the meeting to order at 3:05 p.m.

Workshop Agenda Item No. 1 -- Presentation, discussion, and possible action on items listed on the consent agenda.

13.4 – Presentation, possible action, discussion regarding a resolution awarding the bid and approving a construction contract (Contract No. 06-020) with Dudley Construction, Ltd., in an amount of $227,428.00, for the construction of a Water Playground in W.A. Tarrow Park.

Assistant Director of Parks and Recreation Eric Ploeger described the hours of operation and pointed out no supervision will be available at this facility.

13.5 – Presentation, possible action and discussion regarding approval of a real estate contract approving 22.335 acres of mitigation property, at a cost of $110,000.00. This property acquisition in necessary to meet federal agency mitigation requirements for Navasota Ladies' Tresses (an endangered wildflower) at the new landfill site on State Highway 30.

Assistant Public Works Director Pete Caler described the location of the Navasota Ladies Tresses. He pointed out that this location could be used for certain wilderness activities.

13.7 – Presentation, possible action, discussion of a resolution awarding a professional services contract to Walter P. Moore Engineers for design of the extension of Arrington

Road and Decatur Road in an amount not exceed $423,991.00; and a resolution declaring intention to reimburse certain expenditures with proceeds from debt.

Director of Public Works Mark Smith noted that the City of College Station would build the roadways shown on the Cities Thoroughfare Plan.

Director of Finance and Strategic Planning Jeff Kersten described the reimbursement of certain expenditure with proceeds from debt.

13.9 – Presentation, possible action and discussion regarding the award of demolition contract(s) with Jeffery Bailey Trucking for $32,500 and B/CS Construction for $32,950 for a total expenditure of $65,450.00.

Interim City Manager Glenn Brown described the use of the property after demolition.

13.13 – Presentation, possible action and discussion on a change order to the professional services contract 05-057 with McCord Engineering, Inc. for $450,000.00 for electrical engineering services.

Assistant Director of Public Works/Electric Division Manager David Massey described the timelines for the electric distribution system improvements.

13.19 – Presentation, possible action and discussion of Change Order #5 to Professional Services Contract with Edward and Kelcey (formerly Epsilon engineering) for the Greens Prairie Road/Arrington Road Realignment, increasing the contract amount by $16,937.00, for a revised contract amount of $660,668.00.

Assistant City Engineer Greg Jordan noted that a revised set of plans was necessary in order to complete construction from the current alignment of Greens Prairie Road to the new alignment upon completion of SH 40. He noted that due to the delay in construction of State Highway 40 the final completion of this project is also delayed; therefore increasing the contract amount.

Workshop Agenda Item No. 2 -- Presentation, possible action, and discussion on the 2005 Hurricane Response after Action Review.

Fire Chief R.B. Alley presented a brief summary of a report that was prepared as a tool to gain knowledge from the two responses and to better prepare the City of College Station work force for future emergencies and disaster situations.

Emergency Manager Brian Hilton described the background information regarding Hurricane Katrina and Rita; four lessons learned and presented Short Term, Mid-Term and Long Term recommendations.

No formal action was taken.

Council recessed for a short break at 4:06 p.m. and reconvened the workshop meeting at 4:28 p.m.

Council member Chris Scotti arrived at 4:24 p.m.

Workshop Agenda Item No. 3 – Presentation, possible action, and discussion on the Key Result Area for Strategic Plan for Neighborhoods.

Director of Planning and Development Services Joey Dunn presented an overview of the Congress of Neighborhoods objectives, Neighborhood Overlay District concept and presented portions of a sample educational video, "Rent World", from Colorado State University and the City of Fort Collins, Colorado.

Staff solicited direction to proceed with hiring Mr. Bowers to conduct a Congress of Neighborhoods program in College Station.

The City Council discussed the pros and cons of Congress of Neighborhoods, Goodwill meetings, and neighborhood representative committee meetings. After a brief discussion, the consensus of the City Council was to defer any changes until a new City Manger was hired.

Staff asked for direction regarding neighborhood overlay districts to regulate number of unrelated in household, parking setbacks and contextual standards.

After a brief discussion, City Council concurred to address overlay districts once the desired changes for neighborhood services program have been determined.

Workshop Agenda Item No. 4 – Presentation, possible action, and discussion regarding seeking Council direction in prioritizing future Council workshop agenda items.

Interim City Manager Glenn Brown noted that there are numerous items that have been requested by Staff and City Council to be presented for future workshops. Due to the number of agenda items and time constraints staff was seeking direction on the priority level of the following items.

High	**Medium**	**Low**
Security & Tourism Report (committed date of Jan 26 – Dr. Peter Tarlow)	**Council Travel Policies**	**Risk Management Update**
Parliamentarian Procedures	**Texas Avenue Quarterly Progress Report**	**Northgate Head-in Parking**
Juvenile Curfew	**Communications Marketing Plan**	**Wetland Mitigation**

Prioritizing Capital Spending also known as Interim CIP	**Highway 6 Bypass Litter Problem**	**Joint Quarterly Workshop – P&Z and City Council**
	New City Hall	**Parks and Recreation Citywide Needs Assessment Report**
		Wolf Pen Creek Update

Also, additional options for consideration would be a special Council Workshop meeting or a written report from staff on applicable items.

After a brief discussion, the consensus of the City Council was to hold a Special City Council Workshop meeting and written reports on items that the Interim City Manager considers applicable.

Workshop Agenda item No. 5 –Presentation, possible action, and discussion regarding new legislation imposed upon local government officials, persons interested in conducting business or doing business with the City of College Station.

This item was postponed until after the regular meeting.

Workshop Agenda Item No. 6 – Presentation, discussion, and possible action on future agenda items: A Council 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.

This item was postponed until after the regular meeting.

Workshop Agenda Item No. 7 – Council Calendars

Agenda Planning Calendar

Jan. 12 Workshop and Regular Council Meeting 3:00 and 7:00 p.m.
Jan. 16 Holiday – Office Closed
Jan 17 Chamber of Commerce Meeting – Admin Conf. Rm – 5:30 p.m.
Jan 18 Research Valley Partnership 3:00 p.m.
Jan 18 Transportation Committee Meeting – Admin Conf. Rm – 5:30 p.m.
Jan 23 Intergovernmental Committee Meeting – Brazos County – Noon
Jan 26 Workshop and Regular Council Meeting – 3 p.m. and 7:00 p.m.
Jan 30 Leadership Summit Luncheon and Overview for a Community of Respect Memorial Student Center, Rm 206, 11:30 am-1:30 pm

This item was postponed until after the regular meeting.

Workshop Agenda Item No. 8 -- Discussion, review and possible action regarding the following meetings: Brazos County Health Department, Brazos Animal Shelter, Brazos Valley Council of Governments, Cemetery Committee, City Center, Design Review Board, Façade Improvement Program Advisory Committee, Fraternal Partnership, Historic Preservation Committee, Intergovernmental Committee and School District, Joint Relief Funding Review Committee, Library Committee, Making Cities Livable Conference, Metropolitan Planning Organization, Parks and Recreation Board, Planning and Zoning Commission, Sister City Association, TAMU Student Senate, The Research Valley Partnership, Transportation Committee, Wolf Pen Creek Oversight Committee, Wolf Pen Creek TIF Board, Zoning Board of Adjustments.

This item was postponed until after the regular meeting.

Workshop Agenda Item No. 9 – Executive Session

At 5:54 p.m., Mayor Silvia announced in open session that the City Council would convene into executive session pursuant to Sections 551.071, 551.074, 551.086 and 551.087 of the Open Meetings Act, to seek the advice of our attorney with respect to pending and contemplated litigation, to consider the evaluation of a public officer, economic development negotiations, and competitive matters.

Consultation with Attorney {Gov't Code Section 551.071}

TCEQ Docket No. 2002-1147-UCR, Applications of Brushy Water Supply and College Station (Westside/Highway 60)
TCEQ Docket No. 2003-0544MWD, Application of Nantucket, Ltd.
TXU Lone Star Gas Rate Request.
Cause No. 03-002098-CV-85, *Brazos County, College Station v. Wellborn Special Utility District*
Civil Action No. H-04-4558, U.S. District Court, Southern District of Texas, Houston Division, *College Station v. U.S. Dept. of Agriculture, etc., and Wellborn Special Utility District*
Civil Action No. H-04-3876, U.S. District Court, Southern District of Texas, Houston Division, *JK Development v. College Station*
GUD No. 9530 – Gas Cost Prudence Review, Atmos Energy Corporation
GUD No. 9560 – Gas Reliability Infrastructure Program (GRIP) rate increases, Atmos Energy Corporation
Cause No. GN-502012, Travis County, *TMPA v. PUC* (College Station filed Intervention 7/6/05)
Council Prayer, Liability, Risk, Current Legal Status
Open Meetings Act, Legal Liability, Risk, Discussion of Ramifications of Order October 18th

Competitive Matter {Gov't Code Section 551.086}; possible action
The City Council may deliberate, vote, or take final action on a competitive matter in closed session. The City Council must make a good faith determination, by majority vote of the City Council, that the matter is a Competitive Matter. A "Competitive Matter" is a utility-related matter that the City Council determines is related to the City of College Station's Electric Utility

Competitive Activity, including commercial information, which if disclosed would give advantage to competitors or prospective competitors. The following is a general representation of the subject(s) to be considered as a competitive matter.

Marketing and Strategy Plans for College Station Electric Utilities

Economic Incentive Negotiations {Gov't Code Section 551.087}; possible action
The City Council may deliberate on commercial or financial information that the City Council has received from a business prospect that the City Council seeks to have locate, stay or expand in or near the city with which the City Council in conducting economic development negotiations may deliberate on an offer of financial or other incentives for a business prospect. After executive session discussion, any final action or vote taken will be in public. The following subject(s) may be discussed:

The proposed city convention center and associated privately developed hotel

Personnel {Gov't Code Section 551.074}; possible action
The City Council may deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer. After executive session discussion, any final action or vote taken will be in public. The following public officer(s) may be discussed:

City Manager

Workshop Agenda Item No. 11 – Final Action on executive session, if necessary.

Council returned from executive session at 7:01 p.m. No action was taken.

Regular Meeting

Mayor Silvia called the regular meeting to order at 7:06 p.m. He led the audience in the pledge of allegiance. Pastor Jason Fikes with A&M United Methodist Church provided the invocation.

Mayor Pro Tem Happ moved to approve the absence request from Council member Gay. Council member Lancaster seconded the motion, which carried unanimously, 6-0.

The City Council viewed the video pertaining to the City of College Station.

Hear Visitors

Veronica Morgan, 511 University Drive, addressed the City Council regarding Consent Agenda Item No. 13.7; expressing concerns that there was a possible shift in policy regarding the construction of streets within the City of College Station.

Council member Lancaster moved to remove Consent Agenda Item 13.7 from the agenda for discussion. Council member Scotti seconded the motion, which carried unanimously, 6-0.

FOR: Silvia, Happ, White, Lancaster, Scotti, Berry
AGAINST: None
ABSENT: Gay

Consent Agenda

13.1 Approved by common consent minutes for the College Station City Council Workshop and Regular Meeting on November 10, 2005.

13.2 Approved by common consent **Resolution No. 1-12-2006-13.02** adopting the document, "Mitigating Risk: Protecting the Brazos Valley from All Hazards, 2004 – 2009."

13.3 Approved by common consent **Resolution No. 1-12-2006-13.03** awarding Bid #06-36, Contract #06-053, to C&L Concrete for $98,084.00 for concrete foundation work for the electric system's Spring Creek and Switch Station Substation sites.

13.4 Approved by common consent **Resolution No. 1-12-2006-13.04** awarding the bid and approving a construction contract (Contract No. 06-020) with Dudley Construction, Ltd., in an amount of $227,428.00, for the construction of a Water Playground in W.A. Tarrow Park.

13.5 Approved by common consent a real estate contract acquiring 22.335 acres of mitigation property, at a cost of $110,000.00. This property acquisition is necessary to meet federal agency mitigation requirements for Navasota Ladies' Tresses (an endangered wildflower) at the new landfill site on State Highway 30.

13.6 Approved by common consent **Resolution No. 1-12-2006-13.06** approving an annual contract with Young Contractors for the Installation of Hot Mix Asphalt Concrete, MC-30/AEP Emulsified Asphalt and RC-2 Winter Patch Asphalt, at a cost not to exceed $507,000.00.

13.7 Presentation, possible action and discussion on a resolution awarding a professional services contract to Walter P. Moore Engineers for design of the extension of Arrington Road and Decatur Road in an amount not to exceed $423,991.00; and a resolution declaring intention to reimburse certain expenditures with proceeds from debt.

Council member White moved to approve **Resolution No. 1-12-2006-13.07a** awarding a professional service contract to Walter P. Moore engineers for design of the extension of Arrington Road and Decatur Road in an amount not to exceed $423,991.00; and **Resolution 1-12-2006-13.07b** declaring intention to reimburse certain expenditures with proceeds from debt. Mayor Pro Tem Happ seconded the motion, which carried unanimously, 5-1.

FOR: Silvia, Happ, White, Scotti, Berry
AGAINST: Lancaster
ABSENT: Gay

13.8 Approved by common consent Change Order #1 to Professional Services Contract 04-011 with Berens-Tate Consulting Group for arbitrage rebate calculation services, increasing the contract by $4,540 for a revised contract amount of $47,540.

13.9 Approved by common consent the award of demolition contract(s) with Jeffery Bailey Trucking for $32,500 and B/CS Construction for $32,950 for a total expenditure of $65,450.

13.10 Approved by common consent a funding agreement between the City of College Station and Keep Brazos Beautiful for FY 06 in the amount of $27,000 for artwork to be placed at Unity Plaza.

13.11 Approved by common consent an annual price agreement with Vulcan Construction Materials to provide cover stone, trap rock for the maintenance of streets in an amount not to exceed $202,700.00.

13.12 Approved by common consent an annual price agreement with Cleveland Asphalt Products to provide emulsified asphalt for the maintenance of streets in an amount not to exceed $212,800.00.

13.13 Approved by common consent a change order to the professional services contract 05-057 with McCord Engineering, Inc. for $450,000.00 for electrical engineering services.

13.14 Approved by common consent a local forfeiture agreement between the City of College Station and the Brazos County District Attorney's Office.

13.15 Approved by common consent amendment to the interlocal agreement with the Texas Transportation Institute (TTI) for the Brazos Valley Regional Transportation Operations feasibility study, providing a time extension to March 31, 2006. Council member Lancaster abstained from this item.

13.16 Approved by common consent a nomination to the Board of Managers of the Brazos County Emergency Communications District.

13.17 Approved by common consent a ratification of $118,331 for the 2005 expenses for the Pharmacare prescription plan.

13.18 Approved by common consent **Ordinance No. 2860** amending Chapter 7, "Health and Sanitation", of the code of ordinances of the City of College Station.

13.19 Approved by common consent Change Order #5 to a Professional services Contract with Edward and Kelcey (formerly Epsilon Engineering) for the Greens Prairie Road/Arrington Road Realignment, increasing the contract amount by $16,937.00, for a revised contract amount of $660.668.00.

Regular Agenda

Regular Agenda Item No. 14.1 -- Public hearing, presentation, possible action, and discussion of a resolution supporting a grant application to purchase flood prone property located at 306 Redmond Drive in College Station.

Director of Public Works Mark Smith remarked that the purchase of the flood prone property and improvements to the section of Wolf Pen between George Bush Drive and Texas Avenue is included in College Station Mitigation Action Plan. An emergency declaration subsequent to hurricane Rita in September made federal funds available in Texas for flood hazard mitigation. In December 2005 the City of College Station received a Notice of Interest from the Governor's Division of Emergency Management indicating that our project was likely to receive funding. In order to receive the grant we must make an application to FEMA by January 27, 2006. The grant program requires a minimum 25% local match.

Staff recommended approval of the proposed resolution.

Mayor Silvia opened the public hearing.

No one spoke

Mayor Silvia closed the public hearing.

Mayor Pro Tem Happ moved to approve **Resolution No. 1-12-2006-14.01** supporting a grant application to purchase flood prone property located at 306 Redmond Drive in College Station. Council member White seconded the motion which carried unanimously, 6-0.

FOR: Silvia, Happ, White, Lancaster, Scotti, Berry
AGAINST: None
ABSENT: Gay

Regular Agenda Item No. 14.2 -- Public hearing, presentation, possible action, and discussion on a Conditional Use Permit – Use & Site for a Stealth Telecommunications Tower consisting of approximately 0.05 acres at 111 Southwest Parkway East, generally located on the north side of Southwest Parkway, east of Texas Avenue

Director of Planner and Development Joey Dunn noted that the applicant requested a Conditional Use Permit for a stealth telecommunications tower designed as an (80)

eighty-foot flag pole, just east of Williams Lube King and west of Aggieland Credit Union. At the December 8, 2005 the Planning and Zoning meeting, the applicant expressed a willingness to use a light pole stealth design and to change from a wooden to masonry screening face.

The planning and Zoning Commission recommended approval of the Conditional Use Permit with the conditions that the tower not be a flagpole and that the screening fence match masonry fences in the area. Staff recommended approval of the Conditional Use Permit.

Mayor Silvia opened the public hearing.

The following addressed the City Council regarding the proposed Conditional Use Permit.

Tommy Seargeant, Austin, Texas, President and CEO of Aggieland Credit Union
Brett Ellis, Tomball, Texas, applicant
Greg Baird, Vice President of the Aggieland Credit Union
Natalie Ruiz, IPS Group, 511 University Drive, Suite
Chuck Ellison, 505 University Drive #211

Mayor Silvia closed the public hearing.

Mayor Pro Tem Happ moved to table this item. Council member White seconded the motion which carried unanimously, 6-0.

FOR: Silvia, Happ, White, Lancaster, Scotti, Berry
AGAINST: None
ABSENT: Gay

Council recessed for a short break at 8:50 p.m. and reconvened the regular meeting at 9:03 p.m.

Regular Agenda Item No. 14.3 -- Presentation, possible action, and discussion regarding the Chamber of Commerce legislative trip to Washington D.C.

Manager of Special Projects and Legislative Affairs Don Fazzino presented a brief overview of the Chamber of Commerce legislative trip to Washington D.C.

Mayor Pro Tem Happ and Council members Gay and Scotti announced that they would be traveling with the Chamber of Commerce to present the Legislative Action Plan in Washington D.C.

No formal action was taken.

Regular Agenda Item No. 14.4 -- Presentation, possible action, and discussion on consideration of an ordinance amending Chapter 10, "Traffic Code," Section 2(K) of the Code of Ordinances of the City of College Station to prohibit left turn maneuvers from Luther Street to FM 2818, and the consideration of the creation of Section 2(N) of the Code of ordinances of the City of College Station to prohibit u-turn at the end of he proposed median which will extend through the FM 2818 and Luther Street intersection.

Assistant City Engineer Troy Rother remarked that City staff met with representatives from TxDOT to discuss ways to improve safety at this location. It was determined that a median to restrict left turns was the most desirable alternative to improve safety. The short term solution, which was installed in late December 2005, included the installation of a temporary median, a left turn prohibition from Luther Street into FM 2818, and a u-turn prohibition at the ends of the temporary median. The u-turn prohibition will prevent motorists from attempting a u-turn maneuver at the ends of the median where it is unsafe. The long-term solution, which should be installed within the year, includes the installation of a permanent raised median through this intersection by TxDOT in conjunction with the city installing a signal at the intersection of FM 2818 and Holleman Drive. This median would not prevent left turn movements from northbound FM 2818 into TAMU Poultry Science Center. Additionally, the left turn and u-turn prohibitions adopted as part of the short-term solution would remain in place and continue to be enforced.

The following citizens addressed the City Council regarding the proposed ordinances.

Daniel, Pustejovskys, A&M Poultry Science Center
Jason Lee, 3006 Westwood Main

The following citizens addressed their concerns on the citizen comment form:

Morgan Farnell, 108 Karten Lane
Scott M. Stevens, 1140 Deer Creek Drive
Dale Hyatt, 16425 Royder
Robert Pottberg, 2808 Shirewood, Bryan
Kandace N. Perry, 1214B Webhollow, Bryan

Council member White moved to table this item for a 30 day period pending communications between the City of College Station and TxDOT on resolving the problem at intersection of Luther Street and FM 2818. Council member Scotti seconded the motion, which carried unanimously, 6-0.

FOR: Silvia, Happ, White, Lancaster, Scotti, Berry
AGAINST: None
ABSENT: Gay

Regular Agenda Item No. 14.5 -- Presentation, possible action, and discussion on 1) acceptance of landowners' petition for the designation of Reinvestment zone #16 in the Northgate District as provided for under Chapter 311, Tax Code; and 2) a Resolution calling for a public hearing for the creation of Tax Increment Reinvestment Zone #16 as a tax increment financing zone

Director of Community and Economic Development Kim Foutz described tax increment financing, proposed timeline, purpose of the proposed resolution, location of the proposed tax increment financing zone #16, tentative plans for zone public and private development, preliminary finance plan and the impact of the zone on property values and tax revenues.

Council member Lancaster moved to accept of the landowners' petition for the designation of Reinvestment Zone #16 in the Northgate District and approved **Resolution No. 1-12-2006-14.05** calling for a public hearing for the creation of Tax Increment Reinvestment Zone #16 as a tax increment financing zone. Mayor Pro Tem Happ seconded the motion, which carried unanimously, 6-0

FOR: Silvia, Happ, White, Lancaster, Scotti, Berry
AGAINST: None
ABSENT: Gay

Regular Agenda Item No. 14.6 -- Presentation, possible action, and discussion regarding new legislation imposed upon local government officials, persons interested in conducting business or doing business with the City of College Station

City Secretary Connie Hooks noted that effective January 1, 2006 H.B. 914 required that certain city officials and any person or business that contracts with a city or is considering doing business with a city to file a "conflicts disclosure statement." Failure to file the statement or questionnaire is punishable as a Class C misdemeanor. Additionally, a city is required to maintain a list of local officials that are subject to the bill and make the list available to the public. The city is required to provide access to the statements and questionnaires on the city's Internet Web site.

City Attorney Harvey Cargill presented an overview of the Disclosure of Certain Relationships with Local Government Offices law.

Purchasing Services Manager Cheryl Turney described the questions listed on the Conflict of Interest Questionnaire and how the City of College Station forms will be incorporated into the bid process.

No formal action was taken.

Workshop Agenda Item No. 8 -- Discussion, review and possible action regarding the following meetings: Brazos County Health Department, Brazos Animal Shelter, Brazos Valley Council of Governments, Cemetery Committee, City Center, Design Review Board, Façade Improvement Program Advisory Committee, Fraternal Partnership, Historic

Preservation Committee, Intergovernmental Committee and School District, Joint Relief Funding Review Committee, Library Committee, Making Cities Livable Conference, Metropolitan Planning Organization, Parks and Recreation Board, Planning and Zoning Commission, Sister City Association, TAMU Student Senate, The Research Valley Partnership, Transportation Committee, Wolf Pen Creek Oversight Committee, Wolf Pen Creek TIF Board, Zoning Board of Adjustments.

No reports were presented.

Workshop Agenda Item No. 6 – Presentation, discussion, and possible action on future agenda items: A Council 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.

No request were presented.

Workshop Agenda Item No. 7 – Council Calendars

Agenda Planning Calendar

Jan. 12	Workshop and Regular Council Meeting 3:00 and 7:00 p.m.
Jan. 16	Holiday – Office Closed
Jan 17	Chamber of Commerce Meeting – Admin Conf. Rm – 5:30 p.m.
Jan 18	Research Valley Partnership 3:00 p.m.
Jan 18	Transportation Committee Meeting – Admin Conf. Rm – 5:30 p.m.
Jan 23	Intergovernmental Committee Meeting – Brazos County – Noon
Jan 26	Workshop and Regular Council Meeting – 3 p.m. and 7:00 p.m.
Jan 30	Leadership Summit Luncheon and Overview for a Community of Respect Memorial Student Center, Rm 206, 11:30 am-1:30 pm

The City Council reviewed upcoming events.

Regular Agenda Item No. 15 -- The City Council may convene the executive session following the regular meeting to discuss matters posted on the executive session agenda for January 12, 2006.

At 10:25 p.m., Mayor Silvia announced in open session that the City Council would reconvene into executive session pursuant to Sections 551.074, of the Open Meetings Act, to consider the evaluation of a public officer.

Regular Agenda Item No. 16 -- Final Action on executive session, if necessary.

Council completed executive session at 11:30 pm. They returned to the regular meeting. No action was taken.

Regular Agenda Item No 17 -- Adjourn.

Hearing no objections, the meeting adjourned at 11:35 p.m. Thursday, January 12, 2005.

APPROVED:

_____
Mayor Ron Silvia

ATTEST:

_____
City Secretary Connie Hooks

CITY OF COLLEGE STATION

Mayor
Ron Silvia
Mayor Pro Tempore
John Happ
Interim City Manager
Glenn Brown

Council Members
Ben White
Ron Gay
Susan Lancaster
Chris Scotti
Nancy Berry

Draft Minutes
College Station City Council
Workshop and Regular Meetings
Thursday, January 26, 2006 at 3:00 and 7:00 p.m.
City Hall Council Chambers, 1101 Texas Avenue
College Station, Texas

COUNCIL MEMBERS PRESENT: Mayor Silvia, Council members, Gay, Scotti, Berry

COUNCIL MEMBER ABSENT: Happ, White and Lancaster

STAFF PRESENT: Interim City Manager Brown, City Attorney Cargill Jr., City Secretary Hooks, Assistant City Secretary Casares

Mayor Silvia called the meeting to order at 3:00 p.m.

Workshop Agenda Item No. 1 -- Presentation, possible action, and discussion on items listed on the consent agenda.

12.2 – Presentation, possible action, and discussion on a interlocal government agreement with CSISD ordering a general municipal election to be held on May 13, 2006 for the purpose of electing Council members to Places 4 and 6; and an ordinance calling for a special election on May 13, 2006 for the purpose of proposing an amendment to the City Charter on the council appointment of a city auditor.

City Secretary Connie Hooks clarified the relocation of precincts 20 and 21 to the Conference Center on George Bush Drive, Precinct No. 9.

12.10 - Presentation, possible action, discussion to adopt an ordinance amending Chapter 10, "Traffic Code" of the Code of Ordinances of the City of College Station by adding Section 8 "Municipal Court Building Security fund."

Finance and Strategic Planning Director Jeff Kersten described Consent Agenda Items 12.10 and 12.11 together.

12.11 – Presentation, possible action, discussion to adopt an ordinance revising Chapter 10, "Traffic Code" of the Code of Ordinances of the City of College Station by adding Section 10 "Municipal Court Technology Fund."

Finance and Strategic Planning Director Jeff Kersten clarified that the Municipal Court Technology Fund had an expiration date, not the Municipal Court Security Fund.

Workshop Agenda Item No. 2 -- Presentation, possible action, and discussion regarding Law Enforcement's Role in Economic Development

Manager of Special Projects and Legislative Affairs Don Fazzino introduced Dr. Peter Tarlow of Texas A&M University. Dr. Tarlow presented an overview of "Security and Tourism are Economic Development" and how the two industries work together to develop better communities. He also illustrated his work in cooperation with officers from the College Station Police Department, the Bryan Police Department, and the Sheriff's office.

No formal action was taken.

Workshop Agenda Item No. 3 --Presentation, possible action and discussion on the status of various TxDOT projects: Texas Avenue Widening, State Highway 40, SH 6 (Earl Rudder Freeway) Ramp / Frontage Road Improvements, and the intersection of FM 2818 and Luther Street

Director of Public Works Mark Smith introduced this item.

Kim Soucek, Engineer, Terry Paholek, Assistant Area Engineer and Karl Nelson, Bryan Area Engineer presented a status report on the following TxDot projects;

Texas Avenue Widening
State Highway 40, SH 6 (Earl Rudder Freeway)
Highway 6 (Earl Rudder Freeway) Ramp/Frontage Road Improvements
Intersection of FM 2818 and Luther Street.

No formal action was taken.

Council recessed for a short break at 4:33 p.m. and reconvened the workshop meeting at 4:46 p.m.

Workshop Agenda Item No. 4 -- Presentation, possible action, and discussion regarding development, programs and activities in the Wolf Pen Creek Corridor

Director of Parks and Recreation Steve Beachy described the public and private development of the Wolf Pen Creek Corridor and activities planned for the amphitheater, trail system and commercial establishments. He also provided a brief update regarding the City's capital improvement projects, commercial development and recreational activities in the corridor.

No formal action was taken.

Workshop Agenda item No. 5 -- Presentation, discussion, and possible action on future agenda items: A Council 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.

Council member Berry requested a workshop agenda item on Historic Overlay Districts.

Workshop Agenda Item No. 6 –Council Calendars

Jan 23 Intergovernmental Committee Meeting – Brazos County – Noon
Jan 26 Workshop and Regular Council Meeting – 3 p.m. and 7:00 p.m.
Jan 30 Leadership Summit Luncheon and Overview for a Community of Respect – Memorial Student Center, Rm 206, 11:30 am-1:30 pm
Jan 31 Wells Fargo Program on Ethics featuring Tom DeFrank and Gene Gibbons – 6 p.m. to 8 p.m. – Annenberg Presidential Conference Center
Feb 2 Special Council Meeting – 3:00 p.m. – City Hall
Feb 3 8th Annual Crawfish Boil 5 p.m. – 8 p.m. Kurten Community Ctr.
Feb 8 Economic Outlook Conference – Hilton 8 a.m. – 1:30 p.m.
Feb 9 Workshops and Regular Council Meeting – 3:00 p.m.
Feb 10-12 AMCC Conference – Corpus Christi
Feb 20 IGC Meeting – Noon – City of Bryan
Feb 23 Workshop and Regular Meeting

Workshop Agenda Item No. 7 -- Discussion, review and possible action regarding the following meetings: Brazos County Health Dept., Brazos Animal Shelter, Brazos Valley Council of Governments, Cemetery Committee, City Center, Design Review Board, Façade Improvement Program Advisory Committee, Fraternal Partnership, Historic Preservation Committee, Intergovernmental Committee and School District, Joint Relief Funding Review Committee, Library Committee, Making Cities Livable Conference, Metropolitan Planning Organization, Parks and Recreation Board, Planning and Zoning Commission, Sister City Association, TAMU Student Senate, The Research Valley Partnership, Transportation Committee, Wolf Pen Creek Oversight Committee, Wolf Pen Creek TIF Board, Zoning Board of Adjustments

This item was postponed until after the regular meeting.

Workshop Agenda Item No. 8 -- Executive Session will immediately follow the workshop meeting in the Administrative Conference Room.

At 5:32 p.m., Mayor Silvia announced in open session that the City Council would convene into executive session pursuant to Sections 551.071, 551.072, and 551.087 of the Open Meetings Act, to seek the advice of our attorney with respect to pending and contemplated litigation, to consider the purchase of real property, and economic development negotiations.

Consultation with Attorney {Gov't Code Section 551.071

TCEQ Docket No. 2002-1147-UCR, Applications of Brushy Water Supply and College Station (Westside/Highway 60)
TCEQ Docket No. 2003-0544MWD, Application of Nantucket, Ltd.
TXU Lone Star Gas Rate Request.
Cause No. 03-002098-CV-85, *Brazos County, College Station v. Wellborn Special Utility District*
Civil Action No. H-04-4558, U.S. District Court, Southern District of Texas, Houston Division, *College Station v. U.S. Dept. of Agriculture, etc., and Wellborn Special Utility District*
Civil Action No. H-04-3876, U.S. District Court, Southern District of Texas, Houston Division, *JK Development v. College Station*
GUD No. 9530 – Gas Cost Prudence Review, Atmos Energy Corporation
GUD No. 9560 – Gas Reliability Infrastructure Program (GRIP) rate increases, Atmos Energy Corporation
Cause No. GN-502012, Travis County, *TMPA v. PUC* (College Station filed Intervention 7/6/05)
Legal Review and Advice Regarding M.O.U. and Related Documents for City Conference Center and Hotel

Economic Incentive Negotiations {Gov't Code Section 551.087}; possible action
The City Council may deliberate on commercial or financial information that the City Council has received from a business prospect that the City Council seeks to have locate, stay or expand in or near the city with which the City Council in conducting economic development negotiations may deliberate on an offer of financial or other incentives for a business prospect. After executive session discussion, any final action or vote taken will be in public. The following subject(s) may be discussed:

The proposed city convention center and associated privately developed hotel
Incentives for joint laboratory venture.

Real Estate {Gov't Code Section 551.072}; possible action
The City Council may deliberate the purchase, exchange, lease or value of real property if deliberation in an open meeting would have a detrimental effect on the position of the City in negotiations with a third person. After executive session discussion, any final action or vote taken will be in public. The following subject(s) may be discussed:

Aggie Field of Honor
Olden property located at Rock Prairie and Greens Prairie Roads.

Workshop Agenda Item No. 9 -- Final Action on executive session, if necessary.

Council recessed from the executive session. They returned to open session at 7:03 p.m. No action was taken.

Regular Meeting

Mayor Silvia called the regular meeting to order at 7:05 p.m. He led the audience in the pledge of allegiance. Council member Gay provided the invocation. Council member Gay moved to approve the absence requests from Mayor Pro Tem Happ, Council member White and Council member Lancaster. Council member Scotti seconded the motion which carried unanimously, 4-0

The City Council and staff recognized Joe Brown for his dedicated work to the Last Call program.

Hear Visitors

Karen Hall, P.O. Box 13 Kurten, addressed the City Council on the city regulation of eminent domain.

Jim Jett, 5004 Congressional Court thanked the City for Veterans Park facilities and the availability to all ages.

Consent Agenda

12.1 Approved by common consent minutes for the College Station City Council Workshop and Regular Meeting on November 22, 2005.

12.2 Approved by common consent **Ordinance No. 2861** approving an interlocal government agreement with CSISD ordering a general municipal election to be held on May 13, 2006 for the purpose of electing Council members to Places 4 and 6; and an ordinance calling for a special election on May 13, 2006 for the purpose of proposing an amendment to the City Charter on the Council appointment of a city auditor.

12.3 Approved by common consent to transfer funds to the City of Bryan, so that Bryan can both purchase land and award a contract for construction of a water distribution system pumped interconnect at 29th Street, near the B/CS city limits.

12.4 Approved by common consent awarding Bid #06-39, to Schweitzer Engineering Laboratories for $729,100.00 for a substation control house at College Station Switch Station. This work is in association with a new transmission tie with Brazos Electric Cooperative and College Station Utilities.

12.5 Approved by common consent the award of Bid #06-43 an annual price agreement to Superior Crushed Stone, LC in an amount not to exceed $404,400 for crushed stone to be used by BVSWMA, Public Works and College Station Utilities.

12.6 Presentation, possible action, and discussion regarding a resolution designating the alternate purchasing method for the Police Station Additions Project (Project No. GG-0402). This item was removed from by staff.

12.7 Approved by common consent **Resolution No. 1-26-2006-12.07** approving the construction contract (Contract No. 06-048) with Austin Filter Systems, Inc. in the amount of $2,689,718.50 for the construction of the Bee Creek Combined Channel Improvements Project (SD-9802).

12.8 Presentation, possible action, and discussion regarding a resolution designating the alternate purchasing method for the Fire Station No. 3 Relocation Project (Project No. GG-0401). This item was removed by staff.

12.9 Approved by common consent **Resolution No. 1-26-2006-12.09** declaring intention to reimburse certain expenditures with proceeds from debt for the New Forestry Shop Project.

12.10 Approved by common consent **Ordinance No. 2862** amending Chapter 10, "Traffic Code" of the Code of ordinances of the City of College Station by adding Section 8 "Municipal Court Building Security Fund".

12.11 Approved by common consent **Ordinance No. 2863** revising Chapter 10, "Traffic Code" of the Code of ordinances of the City of College Station by adding Section 10 "Municipal Court Technology Fund".

12.12 Approved by common consent **Ordinance No. 2864** establishing a Municipal Court Juvenile Case Manager fund; providing for the assessment and collection of a Municipal Court Juvenile Case Manager Fee; providing a severability clause; and providing an effective date.

12.13 Approved by common consent Change Order #1 to Construction Contract No. 05-253 with Elliott Construction, Ltd. for construction services for the Water Service Extension Project Phase 1, increasing the contract by $67,581.00 for a revised contract amount of $2,120,239.00.

12.14 Approved by common consent a Ground Lease Agreement By and Between the City of College Station and the Board of Regents of The Texas A&M University System for the lease of 1.4 acres for the Northgate Electric Substation. This is a 50 year renewable lease, already approved by the Texas A&M Board of Regents in December, 2005. During the term of the lease, the City of College Station will pay TAMU System a yearly rental of $1.00 for the property.

12.15 Approved by common consent an addendum to a previously approved real estate contract that will authorize the purchase of 76 acres of land needed for the BVSWMA Rock Prairie Landfill Soil Deficit Management Project. The property is owned by Dolly Olden and is adjacent to the existing landfill, located on the south side of Rock Prairie Road, west of Greens Prairie Road. Purchase price, $1,042,933.

12.16 Approved by common consent **Resolution No. 1-26-2006-12.16** approving an Optional Relocation Program (ORP) Rehousing Agreement between the City and an eligible housing assistance applicant, and authorization of the expenditure of funds for demolition/construction costs of $67,350 for the project located at 909 Montclair.

Council member Gay moved to amend Consent Agenda Item 12.02 relocating precincts 20 and 21 from the MSC to the College Station Conference Center. Council member Scotti seconded the motion which carried unanimously, 4-0.

FOR: Silvia, Gay, Scotti, Berry
AGAINST: None
ABSENT: Happ, White, Lancaster

Regular Agenda

Regular Agenda Item No. 13.1 -- Public hearing, presentation, possible action, and discussion on Budget Amendment #1 to the City of College Station 2005-2006 Budget authorizing an increase in appropriations of $2,226,749

Finance and Strategic Planning Director Jeff Kersten noted the proposed budget amendment would increase appropriations in the 2005-2006 budget by $2,226,749 and increase the number of regular full-time positions in the budget by two.

The following proposed budget amendment would increase the appropriations for the items listed below by $2,226,749.

1. **Governor's Division of Emergency Management (GDEM) FY05 Homeland Security Grant - $356,645**: This item is for the appropriation of resources for grants the City of College Station has been awarded. Two equipment grants were awarded through the GDEM. These grants are the State Homeland Security program grant in the amount of $160,226.00 and the Law Enforcement Terrorism Prevention Program grant in the amount of $196,419.00. The funding will be used by city departments to purchase equipment that will enhance the City's response capabilities to terrorist threats or incidents. The grant funds will be available in the General Fund.

2. **PD Selective Traffic Enforcement Program (STEP) Grant - $51,624**: This item is to appropriate funds for a grant received by the City of College Station's Police Department. The grant, administered by the Texas Department of Transportation, covers overtime and benefit costs for Officers addressing hazardous traffic violations at selected locations throughout the City. The funds for this item are available in the General Fund balance. The City will be reimbursed 75% of the total grant expense.

3. **Police Department Justice Assistance Grant (JAG) - $23,056**: The Police Department has been awarded a grant by the Bureau of Justice Assistance in the amount of $23,055.66 for youth and adolescent community outreach purposes. This includes the purchase of items such as child bicycle safety helmets, hand-held radios and digital cameras. This item will provide the budget appropriation for these purchases. The funds are available for this item in the General Fund.

4. **Governor's Division of Emergency Management (GDEM) FY04 Homeland Security/Law Enforcement Grant - $4,900**: In FY05, the Police Department received a Homeland Security Grant in the amount of $212,734 and a Law Enforcement Grant in the amount of $49,680 from the GDEM. These grants were used to purchase items such as an incident command trailer, a trailer mounted message board, a portable generator and a variety of other items. Of the total grant received, $4,900 was not spent in FY05. This amendment would allow for these funds to be spent in FY06. The funds are available in the General Fund balance.

5. **Animal Control Services Interlocal Agreement (ILA) - $77,000**: On December 15, 2005, the City Council approved an ILA between the City of College Station and Brazos County regarding animal control services. Under the terms of the ILA, the County will pay the City an amount not to exceed $77,000 to provide animal control services within the County outside city limits. This amount will be used to purchase a new animal control vehicle and to cover the costs of training, salary and benefits of an additional staff person to perform the services delineated in the agreement. The funds from the County will be available in the General Fund, and the appropriation will be budgeted in the General Fund.

6. **Assistant Emergency Management Coordinator - $29,968**: This request is in response to the increased workload in Emergency Management as the responsibility of Homeland Security evolves in the career field. The position will administer the State Homeland Security Program and Law Enforcement Terrorism Prevention Program Grants. Additionally, the position will assist in the development of the emergency operations plan and preparedness activities for the public and provide overall assistance to the Emergency Management Coordinator. Funds are available for this item in the General Fund balance. This request will fund the position for the remainder of the fiscal year.

7. **Staff Assistant in Emergency Management - $13,810**: Currently a full-time Staff Assistant position funded by Community Development funds is budgeted in the Community Development division. HUD requirements allow 20% of Federal funds to be spent on administrative functions. It is proposed that the current Staff Assistant position be shared with the Emergency Management division, which will shift half of the budgeted costs to the General Fund. This will reduce the administrative costs that are being funded out of Community Development funds to approximately 19.5%, and provide Emergency Management with additional personnel to meet reporting requirements when federal grant funds are received by the City for emergency management purposes. Funds are available for this item in the General Fund balance.

8. **Bee Creek Combined Drainage Project - $605,000**: The Bee Creek Combined Drainage project will widen the existing drainage channel of Bee Creek Main Channel from Texas Avenue upstream to Southwest Parkway and Bee Creek Tributary B from its confluence with the Main Channel upstream to Harvey Mitchell Parkway. The project budget is currently $2,500,000, but estimates have

indicated that additional funds will be needed. $605,000 of these funds is currently budgeted in FY07 for the Bee Creek Phases IV and V project. This item will move the appropriations forward to FY06 from Bee Creek Phases IV and V. Availability of funds will be evaluated for FY07 to determine if this re-appropriation will cause delays for the completion of Bee Creek Phases IV and V.

9. **Arrington Rd/Decatur Street Extension Project - $423,991**: On January 12, 2006, Council approved the use of $423,991 for the design contract on the Arrington Rd/Decatur Street Extension project. The funds for this project will come initially from FY06 Streets Capital Fund appropriations, but will be reimbursed through Certificates of Obligation (CO's) issued later in 2006.

10. **Steeplechase Park Development - $27,741**: Steeplechase Neighborhood Park is a 9-acre park located in Park Zone 5 on Westridge Street. Thus far, this project has been funded through certificates of obligation ($115,000) and Community Development Block Grant (CDBG) funds ($200,000). The use of additional funds for this project was recently approved - $24,000 from Zone 5 Park Land Dedication Capital Project Funds and $27,741 from additional CDBG funds. This item will provide for the appropriation of the $27,741 of CDBG funds to be expended in the Parks Capital Projects Fund. The funds are available in the Community Development Fund.

11. **Gainsharing - $208,314**: On December 15, 2005, the City Council approved the gainsharing distribution for FY05. At that time it was indicated that a budget amendment would be necessary to provide the budget appropriation for this item. Resources have been identified and are available in the various applicable operating funds for this expenditure.

12. **Fleet Shop Enhancements - $201,500**: A Service Level Adjustment was approved in FY05 for the construction of a Fleet satellite maintenance building at the CSU site and funds for this project were included in the FY05 Electric Fund budget. The funds were not spent in FY05. It is now anticipated that these funds will be used for enhancements to the existing fleet maintenance building. Funds are available in the Electric Fund balance for this appropriation.

13. **BVSWMA Host Fees - $150,100**: As a result of an agreement reached with Grimes County in 2001 concerning a dispute over the location of the proposed landfill, the City of College Station agreed to pay Grimes County a host fee in the form of a royalty for every ton of revenue generating municipal solid waste (MSW) received at the State Highway 30 Landfill. Funding for the FY06 Host Fees was erroneously excluded from the FY06 budget. Funds are available in the BVSWMA fund balance.

14. **Demolition Funds - $30,000**: A Service Level Adjustment was approved in FY05 for the demolition of five unoccupied structures that were on City property. The funds were included in the FY05 budget, but were not spent. It is anticipated

that the demolition of these structures will begin in February and this budget amendment will provide for the appropriation of funds in the FY06 budget. Funds are available in the General Fund balance for this appropriation.

15. **Public Educational and Government Access (PEG) Fee expenditures - $23,100**: As part of the franchise agreement with Cox Communications, the City receives a monthly Public Educational and Government Access Fee for each Cox Cable subscriber. These funds are not available for appropriation until received, and must be used for capital improvements directly related to Channel 19. Currently there is a balance of $62,595.55 available for appropriation. The $23,100 will be used for the purchase of a laptop computer; an additional camera; a DVD burner; and a scan converter.

Mayor Silvia opened the public hearing.

No one spoke.

Mayor Silvia closed the public hearing.

Council member Berry moved to approve **Ordinance No. 2865** approving budget Amendment #1 to the City of College Station 2005-2006 budget authorizing an increase in appropriations of $2,226,749. Council member Scotti seconded the motion, which carried unanimously, 4-0.

FOR: Silvia, Gay, Scotti, Berry
AGAINST: None
ABSENT: Happ, White, Lancaster

Regular Agenda Item No. 13.2 -- Public hearing, presentation, possible action, and discussion on two Rezonings for an area totaling 62.423 acres; Part A consists of 22.752 acres and is located at the intersection of Arrington Road at Greens Prairie Road to rezone the property from A-O Agricultural Open to C-1 General Commercial; Part B consists of 39.671 acres located between Greens Prairie Road and Arrington Road to rezone the property from A-O Agricultural Open to C-1 General Commercial

Staff Planner Trey Fletcher remarked that the property owners requesting rezoning of two parcels from A-O Agricultural Open to C-1 General Commercial to "create a commercial zoning district which would be sufficient size for Regional Retail uses. These requests are consistent with the Comprehensive Plan, which now reflects Regional Retail for both Part A and Part B requests, as approved by the City Council at the December 15, 2005 meeting.

The Planning and Zoning Commission and staff recommended approval of the proposed Part A and Part B rezoning.

Mayor Silvia opened the public hearing.

Jim Jett offered to answered questions of the City Council.

Mayor closed the public hearing.

Council member Gay moved to approve **Ordinance No. 2866** rezoning 22.752 acres located at the intersection of Arrington Road at Greens Prairie Road rezoning the property from A-O Agricultural Open to C-1 General Commercial. Council member Barry seconded the motion which carried unanimously, 4-0.

Council member Gay moved to approve **Ordinance No. 2867** rezoning 39.671 acres located between Greens Prairie Road and Arrington Road rezoning the property from A-O Agricultural Open to C-1 General Commercial. Council member Berry seconded the motion which carried unanimously, 4-0.

FOR: Silvia, Gay, Scotti, Berry
AGAINST: None
ABSENT: Happ, White, Lancaster

Regular Agenda Item No. 13.3 -- Presentation, possible action, and discussion regarding options for bridge designs on the Dartmouth Extension crossing Bee Creek

Director of Public Works Mark Smith presented engineering cost for the design of a bridge on the Dartmouth Extension. The projected budget for the Dartmouth Extension is $3.6 million. The beam bridge structure is estimated to cost about $250,000 less than the arch culvert design.

Staff recommended that the Dartmouth Bridge crossing over Bee Creek be constructed with a beam or span type bridge rather than a box or arch culvert type bridge.

Council member Berry moved to approve that the Dartmouth Bridge crossing over Bee Creek be a beam or span type bridge. Council member Scotti seconded the motion which carried unanimously, 4-0.

FOR: Silvia, Gay, Scotti, Berry
AGAINST: None
ABSENT: Happ, White, Lancaster

Regular Agenda Item No. 13.4 -- Presentation, possible action, and discussion on the selection of a legislative and lobbying consultant

Special Projects and Legislative Affairs Manager Don Fazzino remarked that the City Council directed staff to send out RFP's at the December 15, 2005 meeting. The scope of services included representation at the State and Federal Level. The RFP's were distributed to sixty-three firms following the month of December. The City of College

Station received eleven RFP responses. The evaluation team determined the majority of proposals consisted of two separate firms pertaining to one which could provide representation at the federal level and the other at the state level. Staff recommended selecting two consultants; one firm for state legislative activities and a separate firm for federal legislative activities.

The proposed options were:

Option A:

State (only): Dan Shelley $48,000
Federal (only): Russ Reid $114,000

Option B:

State (only): Dan Shelley $48,000
Federal (only): Meyers & Assoc. $108,000

Option C:

State and Federal: Meyers and Associates $162,000

Council member Gay move to approve Option B selecting Dan Shelley for State Representation and Meyers & Associates for Federal representation. Council member Berry seconded the motion which carried by a vote of 3-1.

FOR: Gay, Scotti, Berry
AGAINST: Silvia
ABSENT: Happ, White, Lancaster

Workshop Agenda Item No. 7 -- Discussion, review and possible action regarding the following meetings: Brazos County Health Dept., Brazos Animal Shelter, Brazos Valley Council of Governments, Cemetery Committee, City Center, Design Review Board, Façade Improvement Program Advisory Committee, Fraternal Partnership, Historic Preservation Committee, Intergovernmental Committee and School District, Joint Relief Funding Review Committee, Library Committee, Making Cities Livable Conference, Metropolitan Planning Organization, Parks and Recreation Board, Planning and Zoning Commission, Sister City Association, TAMU Student Senate, The Research Valley Partnership, Transportation Committee, Wolf Pen Creek Oversight Committee, Wolf Pen Creek TIF Board, Zoning Board of Adjustments, (see attached posted notices for subject matters).

Council member Berry presented highlights of the Intergovernmental Committee Meeting.

Council member Scotti conveyed comments from the Research Valley Partnership Committee.

Council member Gay expressed comments from the Transportation Committee Meeting.

Mayor Silvia presented an overview of the Metropolitan Planning Organization and Brazos Valley Council of Governments.

Regular Agenda Item No. 14 -- The City Council may convene the executive session following the regular meeting to discuss matters posted on the executive session agenda for January 26, 2006.

At 8:34 p.m., Mayor Silvia announced in open session that the City Council would reconvene into executive session pursuant to Sections 551.071, 551.072, and 551.087 of the Open Meetings Act, to seek the advice of our attorney with respect to pending and contemplated litigation, to consider the purchase of real property, and economic development negotiations.

Regular Agenda Item 15 --Final action on executive session, if necessary.

Council concluded executive session at 9:04 pm. on Thursday, January 26, 2006. They returned to the open session. No action was taken.

Regular Agenda Item No 16 -- Adjourn.

Hearing no objection, the meeting adjourned at 9:05 pm.

PASSED AND APPROVED this 9th day of March, 2006.

APPROVED:

_____
Mayor Ron Silvia

ATTEST:

_____
City Secretary Connie Hooks

March 9, 2006
Consent Agenda
Indemnity Amendment for Public Improvement Permits (PIP)

To: Glenn Brown, Interim City Manager

From: Joey Dunn, Director of Planning and Development Services

Agenda Caption: Presentation, possible action and discussion on consideration of an ordinance amending Chapter 3, "Building Regulations", Section 3, "Development of Streets", Paragraph J, "Use of Rights-of-Way for Public Conveniences and Amenities and for Private Improvements and Facilities" of the Code of Ordinances of the City of College Station, regarding indemnity requirements for Public Improvement Permits (PIP).

Recommendation(s): Staff recommends approval.

Summary: This amendment addresses concerns expressed by the development community regarding current requirements for Public Improvement Permits (PIP). This amendment would exempt landscaping and irrigation from the indemnity agreement requirement, to encourage private landscaping and related irrigation for the general beautification of the City, at relatively minimal risk to the City.

A PIP permit allows a private property owner to place private elements in public rights-of-way for such general uses as landscaping, sidewalk cafes, neighborhood entrances, historical signage, pedestrian improvements, or vehicular transportation elements. Specific improvements may include trees, irrigation, signs, benches, awnings, or other elements.

Budget & Financial Summary: N/A

Attachments:

1. Ordinance Amendment

ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 3, "BUILDING REGULATIONS", OF THE CODE OF ORDINANCES OF THE CITY OF COLLEGE STATION, TEXAS, BY AMENDING CERTAIN SECTIONS AS SET OUT BELOW; PROVIDING A SEVERABILITY CLAUSE; DECLARING A PENALTY; AND PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF COLLEGE STATION, TEXAS:

PART 1: That Chapter 3, "BUILDING REGULATIONS", of the Code of Ordinances of the City of College Station, Texas, be amended as set out in Exhibit "A", attached hereto and made a part of this ordinance for all purposes.

PART 2: That if any provisions of any section of this ordinance shall be held to be void or unconstitutional, such holding shall in no way effect the validity of the remaining provisions or sections of this ordinance, which shall remain in full force and effect.

PART 3: That any person, firm, or corporation violating any of the provisions of this chapter shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punishable by a fine of not less than Twenty-five Dollars ($25.00) nor more than Five Hundred Dollars ($500.00). Each day such violation shall continue or be permitted to continue, shall be deemed a separate offense. Said Ordinance, being a penal ordinance, becomes effective ten (10) days after its date of passage by the City Council, as provided by Section 34 of the Charter of the City of College Station.

PASSED, ADOPTED and APPROVED this _____ day of _____, 2006.

APPROVED:

_____
RON SILVIA, Mayor

ATTEST:

_____
Connie Hooks, City Secretary

APPROVED:

E-Signed by Carla A. Robinson
VERIFY authenticity with Approvelt

_____
City Attorney

EXHIBIT "A"

That Chapter 3, Section 3, Paragraph J(7)(b), of the Code of Ordinances of the City of College Station, Texas, is hereby amended to read as follows:

"(7)(b) Regulations

Permittee must provide indemnity agreements by abutting fee owners, which agreements shall be covenants running with the title of the abutting land; provided, however, that Permanent and Temporary Landscaping, including landscaping lighting and watering systems shall be exempt from this requirement."

March 9, 2006
Consent Agenda
Fire Station #5 Takeover Agreement

To: Glenn Brown, Interim City Manager

From: Mark Smith, Director of Public Works

Agenda Caption: Presentation, possible action and discussion of a "Takeover Agreement" contract with XL Specialty Insurance Company for the completion of Fire Station #5.

Recommendation(s): Staff recommends approval of the takeover agreement.

Summary: Trimble & Stephens Construction Services Inc. was the low bidder for the construction of Fire Station #5. Trimble & Stephens failed to complete the project and declared itself in default of the contract on December 13, 2005. XL is the surety that provided performance and payment bonds for the fire station contract. This agreement provides terms for XL to take over the project and complete the work. The surety takes over all of the assets (remaining contract balance) and liabilities (responsibility for completing the fire station) from the original contract.

The agreement calls for the work to be completed by May15, 2006.

Budget & Financial Summary: XL is financially responsible for all of the costs required to complete the fire station and is entitled to the balance remaining on the contract with Trimble & Stephens. The City will pay that amount minus expenses the City has incurred due to the contractor's default of the contract. The City will pay XL $142,883.01 for the completion of the project.

Attachments:
1. Takeover Agreement

TAKEOVER AGREEMENT
THE CITY OF COLLEGE STATION FIRE STATION NO. 5 PROJECT

This Takeover Agreement ("Agreement"), by and between the City of College Station (the "Owner") and XL Specialty Insurance Company (the "Surety").

RECITALS

WHEREAS, the Owner entered into a written contract dated April 13, 2004 (the "Original Contract") with Trimble & Stephens Construction Services, Inc. d/b/a Stephens Construction Services (the "Principal") for construction work on a project identified as the City of College Station Fire Station No. 5 (the "Project"); and

WHEREAS, the Surety issued Performance Bond No. SB0089575 (the "Performance Bond") and Payment Bond No. SB0089575 (the "Payment Bond") in connection with the Project (collectively, the "Bonds"); and

WHEREAS, on or about December 13, 2005, the Principal voluntarily declared itself in default of the Original Contract; and

WHEREAS, the Surety agrees to procure completion of the Original Contract as amended by any changes authorized by Owner prior to the date of contractor's default (hereinafter the "Original Contract") by contracting with Frost Constructors, Inc. ("Completion Contractor") pursuant to the terms and conditions of the Performance Bond; and

WHEREAS, the Owner is currently holding a contract balance of $157,631.32 under the Original Contract; and

NOW, THEREFORE, the Surety and the Owner, for good and valuable consideration, the receipt of which is hereby acknowledged, do contract and agree as follows:

TERMS AND CONDITIONS

1. The above recitals are adopted and made a part of this Agreement.

2. The Surety agrees to perform or cause to be performed work to complete the Original Contract including all punch list work, corrective work and warranty work required under the Original Contract in order to achieve final completion and acceptance of the Project by the Owner (the "Work"). This performance by the Surety is done pursuant to the Performance Bond and, except as expressly provided otherwise herein, under a full reservation of rights. The Owner acknowledges, by its execution of this Agreement, that the Surety is acting in its capacity as the surety for the Principal in making arrangements for the performance and completion of the Original Contract, and not as a completing contractor.

3. During the course of the Work, the parties recognize that issues may arise that will require changes in the scope of the Work. In this case, the Owner and the Surety agree that any such changes in the scope of Work shall be mutually agreed upon by the Owner and the

Surety in writing subject to and in accordance with, the terms, limitations and conditions of the Original Contract applicable to such changes.

4. The Surety is not assuming any obligations or liabilities beyond those set forth in the Performance Bond.

5. The Owner acknowledges that the Surety will subcontract the performance of the Work under the Original Contract to a completion contractor (the "Completing Contractor"), and the Owner hereby consents to the selection of Frost Constructors, Inc. by the Surety and Owner's acceptance of Frost Contractors shall not compromise any right of Owner under the Original Contract or Performance Bond. The Surety may satisfy the required insurance obligations under the Original Contract by providing evidence of the required insurance coverage carried by the Completing Contractor, with the Surety and the Owner being named as additional insureds under the policy or policies, effective as of the issuance date of a notice to proceed.

6. Routine day-to-day operations and decisions as to the manner of performance of the Original Contract shall be made by the Completing Contractor, subject to the terms and conditions of the Original Contract; provided, however, that the Completing Contractor must obtain Surety's prior written consent to: (i) agree to any changes in the Original Contract; (ii) agree to any additive or deductive change orders in excess of $2,500; (iii) agree to any backcharges or deduction of any nature; (iv) agree to any schedule changes; and (v) agree to any adjustments in the amount of the Original Contract.

7. In consideration of the Surety's agreement to the deduction of $14,748.31 from the balance due under the Original Contract, to compensate the Owner for Owner's payment of utilities service to the Project and meter and fire rental unit costs, plus additional expenses and fees Owner has incurred and/or will incur due to the default of the Principal, through May 15, 2006, the completion date under the Original Contract (as that term is defined in the Original Contract) is hereby, without compensation of any kind, extended as to the Surety only, from August 28, 2005, and hereby established to be May 15, 2006 (the "Completion Date"). Thereafter, the provisions of the Original Contract relating to liquidated damages shall apply. The Surety will be entitled to time extensions for events occurring after the date of this Agreement, in accordance with the applicable terms and conditions of the Original Contract allowing such time extensions. Further, in consideration of the extension of the Completion Date, as provided in this Paragraph 7, Surety waives any right and releases any claim to additional compensation under the Original Contract to the extent such claim accrued or the events giving rise to such claim occurred prior to the date of this Agreement.

8. The Owner agrees that the Surety shall not be responsible for any sums in excess of the penal amount of the Performance Bond including, without limitation, expenses, attorney fees, and/or professional fees incurred by the Owner. The Owner agrees that any money spent by the Surety in connection with actual prosecution of the Work, in excess of the contract amounts hereafter paid by the Owner will result in a "dollar-for-dollar" reduction in the amount available under the penal sum of the Performance Bond issued by the Surety for the Project. Valid payment bond claims payable by the Surety, including amounts paid to "ratify" subcontractor and suppliers to the Principal, shall be credited against the penal sum of the Payment Bond and shall not count against such Performance Bond penal limit reduction.

Nothing in this Agreement constitutes a waiver of such penal sum or an increase in the liability of the Surety under the Payment Bond.

9. After deduction of expenses and fees, as set forth at Paragraph 7 above, the Owner will pay the remaining contract balance of One Hundred Forty-Two Thousand Eight Hundred Eighty-Three and 01/100 Dollars ($142,883.01), together with any additional amount of money added to the contract sum on account of extra work, changes in the Work, or other items. The amount to be paid by the Owner from the remaining contract balance held by the Owner includes all monies due or to become due for the performance of the Work under the Original Contract including, but not limited to, unpaid contract balances that include unpaid monies relating to approved change orders, retained percentages, and any additional monies relating to pending or subsequently submitted change orders approved by the Owner.

10. The Surety shall prepare, sign, and submit to the Owner for Owner's signature a request for payment in accordance with the terms of the Original Contract. Payment for the work shall be made to the Surety in accordance with the terms and conditions and payment procedures set forth in the Contract Documents. Payment shall be delivered by U.S. Mail to XL Specialty Insurance Company, Attention: Donald M. Bieda, 2 Logan Square, Suite 2001, Philadelphia, PA 19103.

11. The Owner agrees that the Surety or its Completing Contractor will have the right to use, without charge, any of the materials, supplies, equipment or personal property furnished or supplied to or by the Principal and owned by the Owner that may be stored on the Project, or that may have been fabricated for use in connection with the Project, even if not delivered to the Project.

12. All written communications from the Owner to the Surety and from the Surety to the Owner shall be made via certified mail, return receipt requested, as follows, and all shall be deemed received three (3) business days after deposit in the U.S. mail as provided herein:

The Surety:

Donald M. Bieda
XL Specialty Insurance Company
2 Logan Square
Suite 2001
Philadelphia, PA 19103

The Owner:

City Manager
City of College Station
1101 South Texas Avenue
Bryan, Texas 77803
P.O. Box 9960
College Station, Texas 77840

With a copy to: City Attorney
City of College Station
1101 Texas Avenue
College Station, TX 77845

13. Except as expressly provided otherwise herein, it is not the intention of the Owner in entering this Agreement to waive, prejudice, amend, alter, revise, release or in any way adversely affect any claim, cause of action or defense, known or unknown, against the Surety or the Principal, or any other person, party or entity.

14. All claims, rights, and causes of action of the Principal arising prior to the execution of this Agreement are preserved. All claims, rights and causes of action of the Owner, as against the Principal, are hereby reserved.

15. Upon completion of the Work, the issuance of a certificate of final payment by the Owner and the expiration of the warranty period specified in the Original Contract, the Surety shall be released from its obligations under the Performance Bond and the Performance Bond shall no longer have any force and effect and shall be null and void.

16. All capitalized terms used herein shall have the meaning assigned to such term in the Original Contract, unless otherwise expressly set forth or modified herein. Except for the terms specifically modified in this Agreement, all the terms and conditions of the Original Contract and the Performance Bond shall remain in full force and effect, and the Surety and the Owner shall be bound by those terms.

General Provisions

17. Nothing contained in this Agreement is intended to create any rights in favor of, or otherwise in any manner inure to the benefit of, any person or legal entity not a signatory hereto.

18. The Owner agrees to refer all inquiries to the Surety related to payment of suppliers and contractors on the Project.

19. The failure of either party to exercise in any respect a right provided for in this Agreement shall not be deemed to be a subsequent waiver of the same right or of any other right unless expressly agreed to by the party in writing.

20. This Agreement shall be governed by the laws of the State of Texas without giving effect to any principle of Conflict-of-Laws that would require the application of the law of any other jurisdiction. The parties hereby stipulate and agree that if it becomes necessary for either party to enforce any breach of this Agreement, then such action to enforce shall be brought in Brazos County, Texas.

21. This Agreement constitutes the entire Agreement and understanding of the parties relating to the subject matter hereof, and shall supersede all prior or contemporaneous agreements and understandings, representations, and warranties, whether written or oral, relating to the subject matter hereof.

22. If any provision of this Agreement is declared or found to be illegal, unenforceable, or void, then the Parties will be relieved of all obligations arising under such provision, but only to the extent it is illegal, unenforceable, or void. All other provisions of this Agreement shall continue in full force and effect without regard to the provisions found to be illegal and unreasonable.

23. The Owner and the Surety shall execute such documents and other papers and take such further actions as may be reasonably required or desirable to carry out the provisions hereof and the transactions contemplated hereby.

24. Each signatory to this Agreement warrants and represents that the claims, suits, rights, and/or interests which are the subject matter of this Agreement are owned by the party asserting same, have not been assigned, transferred, or sold to anyone, and are free of encumbrance.

CITY OF COLLEGE STATION

Signature: _____

Printed Name: _____

Title: _____

ATTEST:

_____
Connie Hooks, City Secretary
Date:_____

APPROVED:

_____
Glenn Brown, Interim City Manager
Date:_____

Carla A Robinson
City Attorney
Date:_____

_____
Jeff Kersten, Finance & Strategic Planning Director
Date:_____

XL SPECIALTY INSURANCE COMPANY

Signature: Donald M Bieda

Printed Name: DONALD M BIEDA

Title: SURETY CLAIM MANAGER

March 9, 2006
Consent Agenda
Spring Creek and Brazos Tie
Transmission Line Construction Projects

To: Glenn Brown, Interim City Manager

From: John Woody, Director of College Station Utilities

Agenda Caption: Presentation, possible action, and discussion action regarding a resolution approving a construction contract with Texas Power Construction, Ltd., in the amount of $1,140,082.99 for the construction of the Spring Creek and Brazos Tie Transmission Line Construction Projects.

Recommendation(s): Staff recommends award to the lowest, responsible bidder meeting specifications, Texas Power Construction, Ltd.

Summary: This contract (Contract 06-125) is for the necessary labor and equipment to construct the Spring Creek and Brazos Tie Transmission Line Projects. This construction project is necessary to meet current and future electric load demands and improve electric reliability within the community. Sealed competitive bids were received from three (3) firms with the summary of results is as follows:

Texas Power Construction, Ltd.	$1,140,082.99	
North Houston Pole Line	$1,154,519.75	incomplete bid.
Great Southwestern Construction Inc.	$1,388,260.42	

Budget & Financial Summary: Funds are budgeted and available in the College Station Utilities Electric Division Capital Improvement Project Budget.

Attachments:

1. Resolution
2. Bid Tabulation 06-59
3. Project Map Location

RESOLUTION NO._____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COLLEGE STATION, TEXAS, APPROVING A CONSTRUCTION CONTRACT FOR THE SPRING CREEK AND BRAZOS TIE TRANMISSION LINE PROJECTS AND AUTHORIZING THE EXPENDITURE OF FUNDS.

WHEREAS, the City of College Station, Texas, solicited bids for the construction phase of the Spring Creek and Brazos Tie Transmission Line Projects; and

WHEREAS, the selection of Texas Power Construction, Ltd. is being recommended as the lowest responsible bidder for the construction services related to Spring Creek and Brazos Tie Transmission Line Projects; now, therefore,

BE IT RESOLVED by the City Council of the City of College Station, Texas:

PART 1: That the City Council hereby finds that Texas Power Construction, Ltd. is the lowest responsible bidder.

PART 2: That the City Council hereby approves the contract with Texas Power Construction, Ltd. for $1,140,082.99 for the labor, materials and equipment required for the improvements related to the Spring Creek and Brazos Tie Transmission Line Projects.

PART 3: That the funding for this Project shall be as budgeted from the College Station Utilities Capital Improvement Project Fund, Electric Division, in the amount of $1,140,082.99

PART 4: That this resolution shall take effect immediately from and after its passage.

ADOPTED this _____ day of _____, A.D. 2006.

ATTEST:

_____

CONNIE HOOKS, City Secretary

APPROVED:

_____

RON SILVIA, Mayor

APPROVED:

_____

City Attorney

CITY OF COLLEGE STATION
SPRING CREEK & BRAZOS TIE
TRANSMISSION LINE CONSTRUCTION
BID TABULATION NO. 06-59

SPRING CREEK

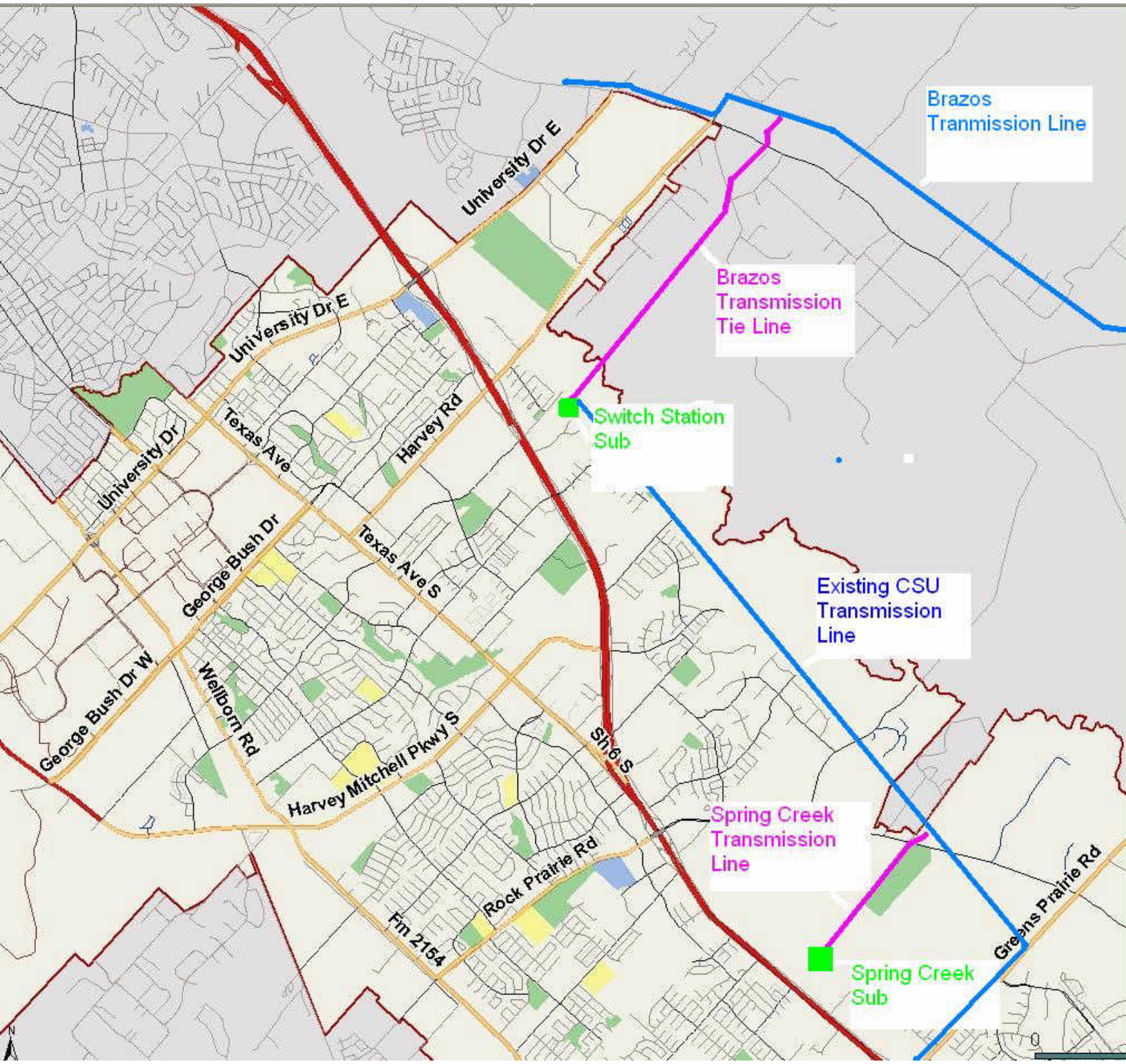
	Great Southwestern	North Houston Pole *	TX Power Constr.
Distribution	113,896.16	66,556.37	107,350.00
Transmission	442,770.80	263,254.11	276,021.75
SPRING CREEK TOTAL	**$556,666.96**	**$329,810.48**	**$383,371.75**
Adder for possible night work	**15%**	**15%**	**10%**
ADDER TOTAL	**$6,641.56**	**$3,948.81**	**$2,760.22**
SPRING CREEK OVERALL TOTAL	**$563,308.52**	**$333,759.29**	**$386,131.97**

BRAZOS TIE

	Great Southwestern	North Houston Pole *	TX Power Constr.
Distribution	6,738.20	1,215.61	14,350.00
Transmission	806,121.87	807,415.39	732,278.25
BRAZOS TIE TOTAL	**$812,860.07**	**$808,631.00**	**$746,628.25**
Adder for possible night work	**15%**	**15%**	**10%**
ADDER TOTAL	**$12,091.83**	**$12,129.46**	**$7,322.77**
BRAZOS TIE OVERALL TOTAL	**$824,951.90**	**$820,760.46**	**$753,951.02**

OVERALL TOTAL	**$1,388,260.42**	**$1,154,519.75**	**$1,140,082.99**
Calendar Days for Completion	90	90	90
Certification of Bid	Y	Y	Y
Addendum Acknowledged	Y	*N	Y
Bid Bond	Y	Y	Y
Deviations/Conditions	No	Yes-No Addendum	No

Vendor Award Recommendation


Brazos
Tranmission Line
Brazos
Transmission
Tie Line
Switch Station
Sub
Existing CSU
Transmission
Line
Spring Creek
Transmission
Line
Spring Creek
Sub
University Dr E
University Dr E
University Dr
Texas Ave
Harvey Rd
George Bush Dr
Texas Ave S
George Bush Dr W
Wellborn Rd
Harvey Mitchell Pkwy S
Sh 6 S
Rock Prairie Rd
Fm 2154
Greens Prairie Rd

March 9, 2006
Consent Agenda
College Station to Brazos Tie Line Substation Material

To: Glenn Brown, Interim City Manager

From: John Woody, Director of Public Utilities

Agenda Caption: Presentation, possible action, and discussion regarding bid award for the purchase of various substation materials for the College Station Switch Station and Brazos Transmission Tie line project for a total amount of $151,481.24.

Recommendation(s): Recommend award to lowest responsible bidders meeting specifications as follows for substation materials.

Group A. Associated Substation Engineering	$70,901.27
Group B. Dis-Tran	$54,390.02
Group C. Techline	$6,798.00
Group G. Dis-Tran	$9,133.95
Group K. Dis-Tran	$10,258.00
Total	$151,481.24

Summary: Bid #06-65 is for electrical substation materials to construct facilities for the new Brazos Transmission tie line at College Station Switch Station. The transmission tie line with Brazos Electric Cooperative will increase electric system reliability in the community.

Budget & Financial Summary: Three (3) sealed, competitive bids were received and opened on February 22, 2006. Funds are budgeted for electric capital system improvements in College Station Utilities Capital Improvement Funds, Electric Division.

Attachments:

1. Bid Tab

Bid Tab 06-65
Brazos Keith Switch Materials
2/22/06

	DISTRAN	TECHLINE	ASSOCIATED SUBSTATION ENG.
TOTAL GROUP A: Structures	$78,168.51	$8,902.11	$70,901.27
TOTAL GROUP B: Air Switches and Accessories	$54,390.02	No Bid	$66,028.64
TOTAL GROUP C: Lightning Arrestors	$7,619.52	$6,798.00	$9,070.09
TOTAL GROUP G: Meters, Relays and Inst. Xformers	$9,133.95	No Bid	No Bid
TOTAL GROUP K: Conduit and Cabling	$10,258.00	$16,535.00	No Bid
TOTAL	$159,570.00	$32,235.11	$146,000.00
TOTAL AWARD	$73,781.97	$6,798.00	$70,901.27
TOTAL AWARD PO	**$151,481.24**		

DELIVERY

TOTAL GROUP A: ASE 20 weeks			20 Weeks
TOTAL GROUP B: DIS-TRAN 12 weeks	12 Weeks		
TOTAL GROUP C: Tech-Line 6 weeks		6 Weeks	
TOTAL GROUP G: DIS-TRAN 18wks to 7 wks	18 Weeks - 7 Weeks		
TOTAL GROUP K: DIS-TRAN Stock items	Stock		

Bid Certification	Y	Y	Y
Addenda Acknowledged	N/A	N/A	N/A
Deviations\Exceptions	None	None	None

March 9, 2006
Consent Agenda
Purchase of SCADA Equipment

To: Glenn Brown, Interim City Manager

From: John Woody, Director of College Station Utilities

Agenda Caption: Presentation, possible action, and discussion authorizing expenditures not to exceed $250,000.00 and ratification of the purchase order for $7,028.33 to Rockwell Automation Inc. for electronic equipment to be used in various Capital Improvement projects.

Recommendation(s): Staff recommends Council approve this group of purchases.

Summary: Critical components of our Water and Wastewater systems are monitored and remotely controlled via computer links. The equipment that performs this function is called Supervisory Control and Data Acquisition (SCADA) equipment. It is necessary to buy new SCADA equipment when new facilities are brought on-line (such as new water wells) or when the old equipment reaches the end of its useful life. Several SCADA equipment purchases are required this fiscal year, so staff evaluated all major brands of processors that could be used, and determined that the equipment sold by Rockwell Automation was the best choice, as shown on attachments (1) and (2). All SCADA purchases will be made from the General Services Administration (GSA) Federal Schedule 70, which is a pre-competed list of equipment available for Government entities to purchase. This GSA contract meets our competitive requirements, and it also reduces our cost by nearly 50%.

Staff is requesting approval for this group of purchases, even though each purchase supports a different project, to prevent the appearance of separating purchases to stay within the City Manager approval limit. Two purchases have already been executed, and three more purchases are pending. The first purchase that has been executed was for $45,402.46 for the new Chemical Feed Building and Lift Station #3 improvements. The second purchase that has been executed was for $7,028.33 for general system upgrade and equipment maintenance. Since this second purchase (if combined with the first purchase) would take the total cost over the $50,000 threshold, then staff requests ratification.

The final portion of this request is for three pending purchases:

- $8,095.24 of materials for the Minor Aquifer project
- $90,000.00 for materials associated with the Carters Creek Sludge Processing and Odor Control Improvements.
- $151,904.76 anticipated replacement of existing SCADA equipment.

Budget & Financial Summary: Water Capital Project and Wastewater Capital Project funds are budgeted and available.

Attachments:

1. Tables comparing vendor features
2. Staff evaluation letter comparing various vendors

Communications Protocols Used

	Allen Bradley	Bristol Babcock	Siemens	GE
Control Net	Yes	No	No	No
Device Net	Yes	No	No	Yes
Profibus	Yes	No	Yes	No
Foundation Fieldbus	Yes	No	No	Yes

Certified Compatible Peripherals

Allen Bradley	Bristol Babcock	Siemens	GE
Yes	No	No	Yes

Support

	Allen Bradley	Bristol Babcock	Siemens	GE
Distributor	Yes	No	Yes	Yes
Web Site	Yes	No	Yes	Yes
Area Office	Yes	Yes	No	No
World Headquarters	Yes	Yes	No	No

College Station Utilities
Reliable, Affordable, Community Owned
P.O. Box 9960 • 1601 Graham Road • College Station, TX 77842
Phone: 979-764-3660 • FAX: 979-764-3452

Memorandum

To : Fred Surovik, Plant Operations Superintendent

From : Michael Kellogg, Systems Analyst

Date : February 8, 2006

Subject : Control System hardware Replacement

Mr. Surovik,
The start of the movement to replace the existing control system hardware was the realization that the existing control hardware was fast approaching the end of its life cycle. The vendor that is in place and has been controlling the plants for 15 years is Bristol Babcock. While they have been supportive in our endeavors, the need to evaluate potential replacements was a prudent decision. We wanted to look at the bus technologies that were available. A bus technology allows a single cable to carry information for multiple devices instead of a single cable for a single device. This will reduce the cost of cabling in future projects plus provide a mechanism for obtaining diagnostic data to aid in troubleshooting. There are five bus technologies that are industry standards, ControlNet, DeviceNet, Profibus, Foundation Fieldbus, and Ethernet/IP. The later is not an option for the City. This would become a huge burden managing the security aspect of this technology. We discussed and talked with Vendors that have supplied us in the past. Bristol Babcock, Allen Bradley, Siemens, and GE. While all supported one bus at minimum, Allen Bradley supported all.
Internally and single interface for programming, diagnostics, and control was also desired. More of an integrated architecture for the software.

Maintenance options were also a concern. We currently have older Allen Bradley equipment under a maintenance contract. After the warranty ends on any future purchases, we can elect to add these to the contract.

Support of the product. Bristol, GE, and Siemens have a single point of support; that being the distributor or the web site. Allen Bradley support is not only the distributor; but the area corporate office and the world headquarters, and the web.

Add on components. Third party components are available for all manufacturers. The main concern is support and who is responsible. Allen Bradley responded to this with their Encompass Partners. These products are certified to run with their products. Thus eliminating the finger pointing and troubles.

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Purchasing the equipment. An RFP was prepared and ready go out to address these concerns and to have a price schedule. Prior to sending out the RFP; purchasing studied the GSA Schedule 70 Cooperative Agreement. Although this is a federal purchasing contract; State and Local government may purchase under this contract. Purchasing accepted this as a viable mechanism. In addition the discount rate is thirty five percent off retail The typical discount schedule from a distributor is twelve to fifteen percent off retail.This removed the need for issuing an RFP.

The decision to select Allen Bradley was based on being able to select the proper bus technology for the application, Maintenance support contract available, multiple support avenues, supported add on components, integrated architecture and ease of purchasing.

March 9, 2006
Consent Agenda
Water and Wastewater New Service Tap Contract Renewal

To: Glenn Brown, Interim City Manager

From: John Woody, Director of College Station Utilities

Agenda Caption: Presentation, possible action, and discussion regarding the renewal of the annual contract for water and wastewater new service tap installation.

Recommendation(s): Staff recommends approval of the annual renewal contract with Elliot Construction, Inc. for an annual estimated expenditure of $362,250.

Summary: The City of College Station contracted out the construction of new water and wastewater service taps in January, 2005. This service connects new customers to the City's water and wastewater main lines. Elliot Construction, Inc. has agreed to the original terms and conditions. This is the first annual renewal term of two possible renewals.

Budget & Financial Summary: Funds are available and budgeted in the Water Fund ($181,125) and Wastewater Fund ($181,125). Expenses are charged to the appropriate fund as new service taps are ordered by the City.

Attachments:

1. Contract renewal with Elliot Construction, Inc.

RENEWAL ACCEPTANCE

By signing herewith, I acknowledge and agree to renew contract #05-067 (Bid 05-33) for water and sewer taps for the City in accordance with all terms and conditions previously agreed to and accepted.

I understand this renewal term will be for the period beginning March 1, 2006 through February 28, 2007.

ELLIOTT CONSTRUCTION, LtD.

Scott Elliott — 2-6-06

AUTHORIZED REPRESENTATIVE — DATE

CITY OF COLLEGE STATION

Ron Silvia, Mayor — DATE

ATTEST:

Connie Hooks, City Secretary — DATE

APPROVED:

Glenn D. Brown, Interim City Manager — DATE

Angela M DeLuca

City Attorney — DATE

Director of Finance & Strategic Planning — DATE

STATE OF TEXAS **CORPORATE ACKNOWLEDGMENT**

COUNTY OF Brazos

This instrument was acknowledged on the 6th. day of February , 2006,

by Scott Elliott in his/her capacity as President of

Elliott Construction,LTD , a TEXAS Corporation, on behalf of said corporation.

NAOMI SNODGRASS
Notary Public
State of Texas
My Commission Expires
August 23, 2008

Notary Public in and for the
State of Texas

STATE OF TEXAS **ACKNOWLEDGMENT**

COUNTY OF BRAZOS

This instrument was acknowledged on the day of , 2006,

by Ron Silvia, in his capacity as Mayor of the City of College Station, a Texas home-rule municipality, on behalf of said municipality.

Notary Public in and for the
State of Texas

****

March 9, 2006
Consent Agenda
Electric Utility Relocations for Wellborn Rd Widening

To: Glenn Brown, Interim City Manager

From: John Woody, Director of College Station Utilities

Agenda Caption: Presentation, possible action, and discussion regarding an agreement with the Texas Department of Transportation (TxDOT) for the relocation of electric utilities due to the widening of Wellborn Road, and the subsequent reimbursement for associated costs.

Recommendation(s): Staff recommends approval of the TxDOT Agreement for Electric Utility Relocation reimbursement.

Summary: TxDot has purchased additional right-of-way along the east side of Wellborn Road. The location from Rock Prairie Road to south of Fraternity Row has underground electric utilities located within an existing easement. TxDot has requested that College Station Utilities relocate its electric lines so that a sound wall can be installed along the residential property lines. TxDot will reimburse College Station Utilities for the actual cost of the relocation.

Budget & Financial Summary: TxDot will be billed the actual cost of the relocation once completed. (Estimated to be $133,499.94.)

Attachments:

TxDot Utility Relocation Agreement

STANDARD UTILITY AGREEMENT

U-Number: _____

District: Bryan
Federal Project No.: STP 2004 (304)
ROW CSJ: 0540-04-056
Highway Project Letting Date: June 2006

County: Brazos
Highway: FM 2154
From: 0.3 mile North of FM 2818
To: 0.6 mile South of SH 40

This Agreement by and between the State of Texas, acting by and through the Texas Transportation Commission, (**"State**"), and City of College Station, ("**Utility**"), acting by and through its duly authorized representative, shall be effective on the date of approval and execution by and on behalf of the **State**.

WHEREAS, the **State** has deemed it necessary to make certain highway improvements as designated by the **State** and approved by the Federal Highway Administration within the limits of the highway as indicated above;

WHEREAS, the proposed highway improvements will necessitate the adjustment, removal, and/or relocation of certain facilities of **Utility** as indicated in the following statement of work: Relocation of existing underground electrical facilities from Rock Prairie Road to Fraternity Row; and more specifically shown in **Utility's** plans, specifications and estimated costs, which are attached hereto as Attachment "A".

WHEREAS, the **State** will participate in the costs of the adjustment, removal, and/or relocation of certain facilities to the extent as may be eligible for State and/or Federal participation.

WHEREAS, the **State,** upon receipt of evidence it deems sufficient, acknowledges **Utility's** interest in certain lands and/or facilities that entitle it to reimbursement for the adjustment, removal, and relocation of certain of its facilities located upon the lands as indicated in the statement of work above.

NOW, THEREFORE, BE IT AGREED:

The **State** will pay to **Utility** the costs incurred in adjustment, removal, and/or relocation of **Utility's** facilities up to the amount said costs may be eligible for **State** participation.

The **State** and **Utility** agree that all conduct under this agreement, including but not limited to the adjustment, removal and relocation of the facility, the development and reimbursement of costs, any environmental requirements, and retention of records will be in accordance with 23 CFR 645, Subparts A & B and all other applicable federal and state laws, rules and regulations. **Utility** agrees to supply, upon request by the **State**, proof of compliance with the aforementioned laws, rules and regulations prior to the commencement of construction.

The **Utility** agrees to develop relocation or adjustment costs by accumulating actual direct and related indirect costs in accordance with a work order accounting procedure prescribed by **State,** or may, with the **State's** approval, accumulate actual direct and related indirect costs in accordance with an established accounting procedure developed by **Utility**. Bills for work hereunder will be submitted to **State** not later than 90 days after completion of the work.

When requested, the **State** will make intermediate payments at not less than monthly intervals to **Utility** when properly billed and such payments will not exceed 80 percent (80%) of the eligible cost as shown in each such billing. In addition, the **State** will make a payment, before audit, which will bring the total percentage paid to the **Utility** up to the 90% eligible cost. Intermediate payments shall not be construed as final payment for any items included in the intermediate payment.

Alternatively, **State** agrees to pay **Utility** an agreed lump sum of $____NA_____ as supported by the attached estimated costs. The **State** will, upon satisfactory completion of the adjustments, removals, and/or relocations and upon receipt of a final billing, make payment to **Utility** in the agreed amount.

Upon execution of this agreement by both parties hereto, the **State** will, by written notice, authorize the **Utility** to proceed with the necessary adjustment, removal, and/or relocation. **Utility** agrees to proceed in such a manner that will not result in avoidable delay or interference with the **State's** highway construction. Should **Utility** by its actions cause interference or delay resulting in the imposition of damages upon the **State** by a third party, **Utility** agrees to indemnify the **State** for said damages. Such indemnity for a municipally-owned utility shall be to the extent allowed by state law.

The **State** will, upon satisfactory completion of the relocation or adjustment and upon receipt of final billing prepared in an approved form and manner, make payment in the amount of 90 percent (90%) of the eligible costs as shown in the final billing prior to audit and after such audit shall make an additional final payment totaling the reimbursement amount found eligible for **State** reimbursement.

Unless an item below is stricken and initialed by the **State**, this agreement in its entirety consists of the following:

1. Standard Utility Agreement;
2. Plans, Specifications, and Estimated Costs (Attachment "A");
3. Utility's Accounting Method (Attachment "B");
4. Utility's Schedule of Work and Estimated Date of Completion (Attachment "C");
5. Statement Covering Contract Work – ROW-U-48 (Attachment "D");
6. Eligibility Ratio (Attachment "F");
7. Betterment Calculation and Estimates (Attachment "G");
8. Proof of Property Interest – ROW-U-1A, ROW-U-1B, or ROW-U-1C (Attachment "H");
9. Inclusion in Highway Construction Contract (if applicable) (Attachment "I"); and
10. Utility Joint Use Acknowledgment – ROW -U-JUA (Attachment "E").

All attachments are included herein as if fully set forth. In the event it is determined that a substantial change from the statement of work contained in this agreement is required, reimbursement therefore shall be limited to costs covered by a modification of this agreement or a written change or extra work order approved by the **State**.

The **Utility** agrees to provide "as-built" plans to the **State** within ninety (90) days of completion of the adjustment or relocation.

This agreement is subject to cancellation by the **State** at any time up to the date that work under this agreement has been authorized and that such cancellation will not create any liability on the part of the **State.**

The State Auditor may conduct an audit or investigation of any entity receiving funds from the **State** directly under this contract or indirectly through a subcontract under this contract. Acceptance of funds directly under this contract or indirectly through a subcontract under this contract acts as acceptance of the authority of the State Auditor, under the direction of the Legislative Audit Committee, to conduct an audit or investigation in connection with those funds.

The **Utility** by execution of this agreement does not waive any of the rights which **Utility** may have within the limits of the law.

It is expressly understood that the **Utility** conducts the adjustment, removal, or relocation at its own risk, and that the **Utility** agrees to indemnify and hold the **State** harmless for damage to existing facilities caused by the **Utility's** conduct. Such indemnity for a municipally-owned utility shall be to the extent allowed by state law.

The signatories to this agreement warrant that each has the authority to enter into this agreement on behalf of the party represented.

UTILITY

Utility: City of College Station.

By: _____

Title: Mayor.

Date: _____

By: _____

Title: Interim City Manager

Date: _____

By: Carla A Robinson

Title: City Attorney

By: _____

Title: Finance and Strategic Planning Director

Date: _____

EXECUTION RECOMMENDED:

_____
District Engineer, Bryan District *

THE STATE OF TEXAS

Executed and approved for the Texas Transportation Commission for the purpose and effect of activating and/or carrying out the orders, established policies or work programs heretofore approved and authorized by the Texas Transportation Commission.

By: _____

_____**

Date: _____

* For locally-executed agreements, ROW Administrator recommends execution; otherwise District Engineer (or designee) .
** For locally-executed agreements, District Engineer (or designee) approves and executes; otherwise ROW Division Director.

Attachment “A”

Plans, Specifications and Estimated Costs

Electric Utility Estimate
City of College Station

To: TONY MICHALSKY Date: November 4, 2005

From: Electrical Utility Department Request #: WF0365447

Subject: Relocate transformers Edeilweiss, TxDot sound wall
Estimator:

ITEM DESCRIPTION	QUANTITY	UNIT COST	EXTENDED COST
12 COPPER BLACK	550.00	.3100	170.50
12 COPPER WHITE	550.00	.3600	198.00
NUMBERING, UNDERGROUND	6.00	15.0800	90.48
URD CABLE MARKERS (URD SI	4.00	40.0400	160.16
1/0 AL 15KV PRIMARY CABLE	1800.00	4.1200	7416.00
2/0 AL URD TRIPLEX SECOND	2000.00	2.6800	5360.00
25KVA PADMOUNT 1 PH 24	7.00	1155.5300	8088.71
Uninsul. Connector Bar 50	7.00	32.2400	225.68
Insul.Connector Bar 350	14.00	25.8500	361.90
TRANSFORMER PAD, POLYMER	7.00	169.7000	1187.90
1" PVC 90 DEGREE ELBOW	3.00	2.6000	7.80
1" PVC COUPLING	6.00	.3600	2.16
2" PVC 90 DEGREE ELBOW	36.00	3.5800	128.88
2" PVC COUPLING	100.00	1.0200	102.00
1" PVC CONDUIT	30.00	1.0700	32.10
2" PVC CONDUIT	2980.00	1.2200	3635.60
6" PVC CONDUIT	2800.00	4.6800	13104.00
ELBOW LOAD BREAK 1/0 200	8.00	36.6100	292.88
1/0 URD POLE TYPE TERMINA	1.00	194.4900	194.49
GROUND ROD ASSEMBLY	4.00	17.2100	68.84
6" PVC COUPLING	12.00	4.7200	56.64
TRENCHLESS BORE 6" 2X6" P	80.00	70.0600	5604.80
TRENCHING, BACK HOE, LINE	1400.00	35.1700	49238.00
12 COPPER BLACK	550.00	.3600	198.00
12 COPPER WHITE	550.00	.3100	170.50
1/0 AL 15KV PRIMARY CABLE	1800.00	.9700	1746.00
2/0 AL URD TRIPLEX SECOND	2000.00	1.8700	3740.00
25KVA PADMOUNT 1 PH 24	7.00	303.8000	2126.60
TRANSFORMER PAD, POLYMER	7.00	102.1000	714.70
ELBOW LOAD BREAK 1/0 200	8.00	7.9200	63.36
1/0 URD POLE TYPE TERMINA	1.00	156.6000	156.60
GROUND ROD ASSEMBLY	7.00	10.4400	73.08
City Labor	1.00	34385.4500	34385.45
Materials/Supplies	1.00	1386.9700	1386.97

Credits

Total Estimated Cost 140488.78

Note:

6,98884 Credits for Removals

Total $ 133,499.94

N
W
E
S
FRATERNITY ROW
BLOCK 18
SOPHIA LANE
VAN TRAPP LANE
NEUBURG COURT
BLOCK 10
HANNOVER ST
VON TRAPP LN
FREDRICK CT
MARTA ST
WILLBORG RD
FM 2154
Rock Prairie Road
New Underground line to be 5'-6' on TXDOT ROW, 16' deep
Station 176+00
Station 178+50
Station 181+90
Station 182+50
Station 184+75
Station 186+20
Station 187+80
Station 189+20
Station 190+00
New ROW Line
Old ROW Line
Existing Underground Lines
Existing Underground Transformers
Proposed Underground Lines Five (5) to Six (6) feet on TXDOT ROW
Proposed Underground Transformers
PRELIMINARY PLAN
CITY OF COLLEGE STATION
ELECTRIC LAYOUT FOR:
JOB NAME
WF0
College Station Utilities
1601 Graham Road
College Station Tx, 77842
NOT TO SCALE
00-00-00
T.MICHALSKY
1 of 1

ATTACHMENT “B”

Utility Accounting Method

☐ **Actual Cost Method of Accounting**

The utility accumulates cost under a work order accounting procedure prescribed by the Federal or State regulatory body; and
The utility proposes to request reimbursement for actual direct and related indirect costs,

☐ **Lump Sum Method of Accounting**

Utility proposed to request reimbursement based on an agreed lump sum amount supported by a detailed cost analysis.

☐ **Alternative Method of Accounting**

The utility accumulates costs under an accounting procedure developed by the utility and approved by the State; and,
The utility proposes to request reimbursement for actual direct and indirect costs; and
The utility owner is a municipality.

Attachment “C”

Utility’s Schedule of Work and Estimated Date of Completion

College Station Utilities will be expecting to begin construction on this section of the Wellborn Road Widening Project on March 1, 2006 and be completed on or before May 15, 2006.

Attachment “D”

Statement Covering Contract Work – ROW-U-48

Form ROW-U-48
Rev. 12/2004
Replaces Form D-15-48
GSD-EPC

STATEMENT COVERING UTILITY CONSTRUCTION CONTRACT WORK
(AS APPEARING IN ESTIMATE)

U-No. _____

District: Bryan
County: Brazos
Federal Project No.: STP 2004 (304)

ROW CSJ No.: 0540-04-056
Highway No.: FM 2154

I, Ron Silvia, a duly authorized and qualified representative of the City of College Station and College Station Utilities, hereinafter referred to as **Owner**, am fully cognizant of the facts and make the following statements in respect to work which will or may be done on a contract basis as appears in the estimate to which this statement is attached.

It is more economical and/or expedient for **Owner** to contract this adjustment, or **Owner** is not adequately staffed or equipped to perform the necessary work on this project with its own forces to the extent as indicate on the estimate.

Procedure to be Used in Contracting Work

☐ A. Solicitation for bids is to be accomplished through open advertising and contract is to be awarded to the lowest qualified bidder who submits a proposal in conformity with the requirements and specifications for the work to be performed.

☐ B. Solicitation for bids is to be accomplished by circulating to a list of pre-qualified contractors or known qualified contractors and such contract is to be awarded to the lowest qualified bidder who submits a proposal in conformity with the requirements and specifications for the work to be performed. Such presently known contractors are listed below:

1.
2.
3.
4.
5.

☒ C. The work is to be performed under an existing continuing contract under which certain work is regularly performed for **Owner** and under which the lowest available costs are developed. (If only part of the contract work is to be done under an existing contract, give detailed information by attachment hereto.)

☐ D. The utility proposes to contract outside the foregoing requirements and therefore evidence in support of its proposal is attached to the estimate in order to obtain the concurrence of the State, and the Federal Highway Administration Division Engineer where applicable, prior to taking action thereon (approval of the agreement shall be considered as approval of such proposal).

☐ E. The utility plans and specifications, with the consent of the State, will be included in the construction contract awarded by the State.

_____ _____
Signature Date

Mayor
Title

Attachment “E”

Utility Joint Use Acknowledgement – Form ROW-U-JUAA

UTILITY JOINT USE ACKNOWLEDGEMENT
REIMBURSABLE UTILITY ADJUSTMENT

U-Number: _____

District: Bryan
Federal Project No.: STP 2004 (304)
ROW CSJ: 0540-04-056
Projected Highway Letting Date: June 2006

County: Brazos
Highway: FM 2154
From: 0.3 mile North of FM 2818
To: 0.6 mile South of SH 40

WHEREAS, the State of Texas, ("**State**"), acting by and through the Texas Department of Transportation ("**TxDOT**"), proposes to make certain highway improvements on that section of the above-indicated highway; and

WHEREAS, the City of College Station, ("**Owner**"), proposes to adjust or relocate certain of its facilities, if applicable, and retain title to any property rights it may have on, along or across, and within or over such limits of the highway right of way as indicated by the location map attached hereto.

NOW, THEREFORE, in consideration of the covenants and acknowledgements herein contained, the parties mutually agree as follows:

It is agreed that joint usage for both highway and utility purposes will be made of the area within the highway right of way limits as such area is defined and to the extent indicated on the aforementioned plans or sketches. Nothing in this Acknowledgement shall serve to modify or extinguish any interest vested in **Owner** in the event the current facilities are retained, altered, modified, added to, or constructed on additional facilities presently located within the above described area. This interest is retained provided that if existing facilities are to be altered or modified, or new facilities constructed within said area, the **Owner** agrees to notify **TxDOT** at least 30 days prior to the beginning of construction, and to furnish necessary plans showing location, type of construction and methods to be used for protection of traffic. If, in the opinion of **TxDOT**, such alteration, modification or new construction is in conflict with the current highway or planned future highway improvements could endanger the traveling public using said highway, or be contrary to the recitals as set out above, **TxDOT** shall have the right to prescribe such regulations as deemed necessary to rectify the problem. These regulations shall not, however, extend to the requiring of the placement of intended overhead lines underground or the routing of any lines outside of the area of joint usage above described.

If **Owner's** facilities are located along a controlled access highway, **Owner** agrees that ingress and egress for servicing its facilities will be limited to frontage roads where provided, nearby or adjacent public roads and streets, or trails along or near the highway right of way lines which only connect to an intersecting road. Entry may be made to the outer portion of the highway right of way from any one or all access points. Where supports, manholes or other appurtenances of the **Owner's** facilities are located in medians or interchange areas, access from the through-traffic roadways or ramps will be allowed by permit issued by the **State** to the **Owner** setting forth the conditions for policing and other controls to protect highway users. In an emergency situation, if the means of access or service operations as herein provided will not permit emergency repairs as required for the safety and welfare of the public, the **Owner** shall have a temporary right of access to and from the through-traffic roadways and ramps as necessary to accomplish the required repairs, provided **TxDOT** is notified immediately when such repairs are initiated and adequate provision is made by **Owner** for the convenience and safety of highway traffic. Except as expressly provided herein, the **Owner**'s rights of access to the through-traffic roadways and/or ramps shall be subject to the same rules and regulations as apply to the general public.

If **Owner's** facilities are located along a non-controlled access highway, the **Owner**'s rights of ingress and egress to the through-traffic roadways and/or ramps are subject to the same rules and regulations as apply to the general public.

Participation in actual costs incurred by the **Owner** for any future adjustment, removal or relocation of utility facilities required by highway construction shall be in accordance with applicable laws of the State of Texas.

If applicable, **Owner** will, by written notice, advise the **State** of the beginning and completion dates of the adjustment, removal, or relocation, and, thereafter, agrees to prosecute such work diligently, and to conclude said adjustment, removal, or relocation by the stated completion date. At the completion of the adjustment, removal, or relocation, the **Owner** will deliver a set of "as-built" plans to the **State**.

The **Owner** and the **State**, by execution of this Acknowledgement , do not waive or relinquish any right that they may have under the law.

The State Auditor may conduct an audit or investigation of any entity receiving funds from the State directly under this contract or indirectly through a subcontract under this contract. Acceptance of funds directly under this contract or indirectly through a subcontract under this contract acts as acceptance of the authority of the State Auditor, under the direction of the Legislative Audit Committee, to conduct an audit or investigation in connection with those funds.

In the event the **Owner** fails to comply with the requirements as set out herein, the **State** may take such action as it deems appropriate to compel compliance.

It is expressly understood that the **Owner** conducts the adjustment, removal, and/or relocation at its own risk, and that the **Owner** agrees to indemnify and hold the **State** harmless for damage to existing facilities caused by the **Owner's** conduct. Such indemnity for a municipally-owned utility shall be to the extent allowed by state law.

The signatories to this Acknowledgement warrant that each has the authority to enter into this Acknowledgement on behalf of the party represented.

IN WITNESS WHEREOF, the parties hereto have affixed their signatures.

Owner: City of College Station
Utility Name

By: _____
Authorized Signature

Title: Mayor

Date: _____

By: _____

Title: Interim City Manager

Date: _____

EXECUTION RECOMMENDED:

_____
District Engineer, Bryan District
Texas Department of Transportation

THE STATE OF TEXAS

Certified as being executed for the purpose and effect of activating and/or carrying out the orders, established policies or work programs heretofore approved and authorized by the Texas Transportation Commission.

By: _____
Director, Right of Way Division

Date: _____

By: Carla A Robinson

Title: City Attorney

By: _____

Title: Finance and Strategic Planning Director

Date: _____

Attachment “F”

Eligibility Ratio

The Eligibility Ratio for reimbursement for the relocation of College Station Utilities electrical underground facilities will be calculated by the TXDOT right-of way office located at 1300 N Texas Ave., in Bryan, Texas.

Attachment “G”

Betterment Calculation and Estimates

College Station Utilities will not have a Betterment Calculation and Estimate.

The existing underground electrical facilities will be replaced 5’-6’ out on TXDOT right-of-way, with the same types of conductors, pad-mounted transformers, and auxiliary equipment.

Attachment “H”

Proof of Property Interest – ROW-U-1A

AFFIDAVIT

(for Utility Owner)

U-No._____

THE STATE OF TEXAS	§	District: Bryan
	§	County: Brazos
COUNTY OF	§	Federal Project No.: STP 2004 (304)
		ROW CSJ No.: 0540-04-056
		Highway No.: FM 2154
		(To be filled in by State)

BEFORE ME, THE UNDERSIGNED AUTHORITY, on this day personally appeared Ron Silvia, Mayor of the city of College Station, Owner of College Station Utilities, ("Utility") who after being by me duly sworn upon his/her oath deposes and says as follows:

"I, Ron Silvia, Mayor of College Station, Texas, am over the age of 18 years and am fully competent to testify to the matters set forth in this Affidavit. I have personal knowledge of all facts and swear that such facts are true and correct.

1. Being a 14.752 acre tract, known as Edelweiss Subdivision Phase 16, as recorded in Volume 4145 Page 285, and a 16.634 acre tract, known as Edelweiss Subdivision, Phase 14, as recorded in Volume 4024 Page 097 of the Deed Records of Brazos County, Texas; the Affiant's interest being a variable width easement, as shown on the plats, for the installation of a 7200 volt 12.5kV underground distribution line.

2. College Station Utilities was granted a variable width easement for the installation of underground electrical facilities, to include primary and secondary voltage systems, the variable width easement being substantiated by the above referenced plats and the volume and pages they are recorded in the official records;

3. College Station Utilities was granted a variable width easement by the above referenced instruments in the two described phases of Edelweiss Subdivision, please see attached copies of recorded plats;

4. College Station Utilities has approximately 8 pad mounted 7200/12.5kV pad mounted transformers in the easement which lies behind the fence line of the existing single family homes, that have self contained meters on each of the structures;

5. College Station Utilities existing underground facilities are in excellent working condition;

6. College Station Utilities has been in possession of the easement area with the existing underground primary facilities since the inception of the two phases of Edelweiss Subdivision;

Further affiant sayeth not."

_____
Signature
Ron Silvia, Mayor of the City of College Station, Texas

Corporate Acknowledgment

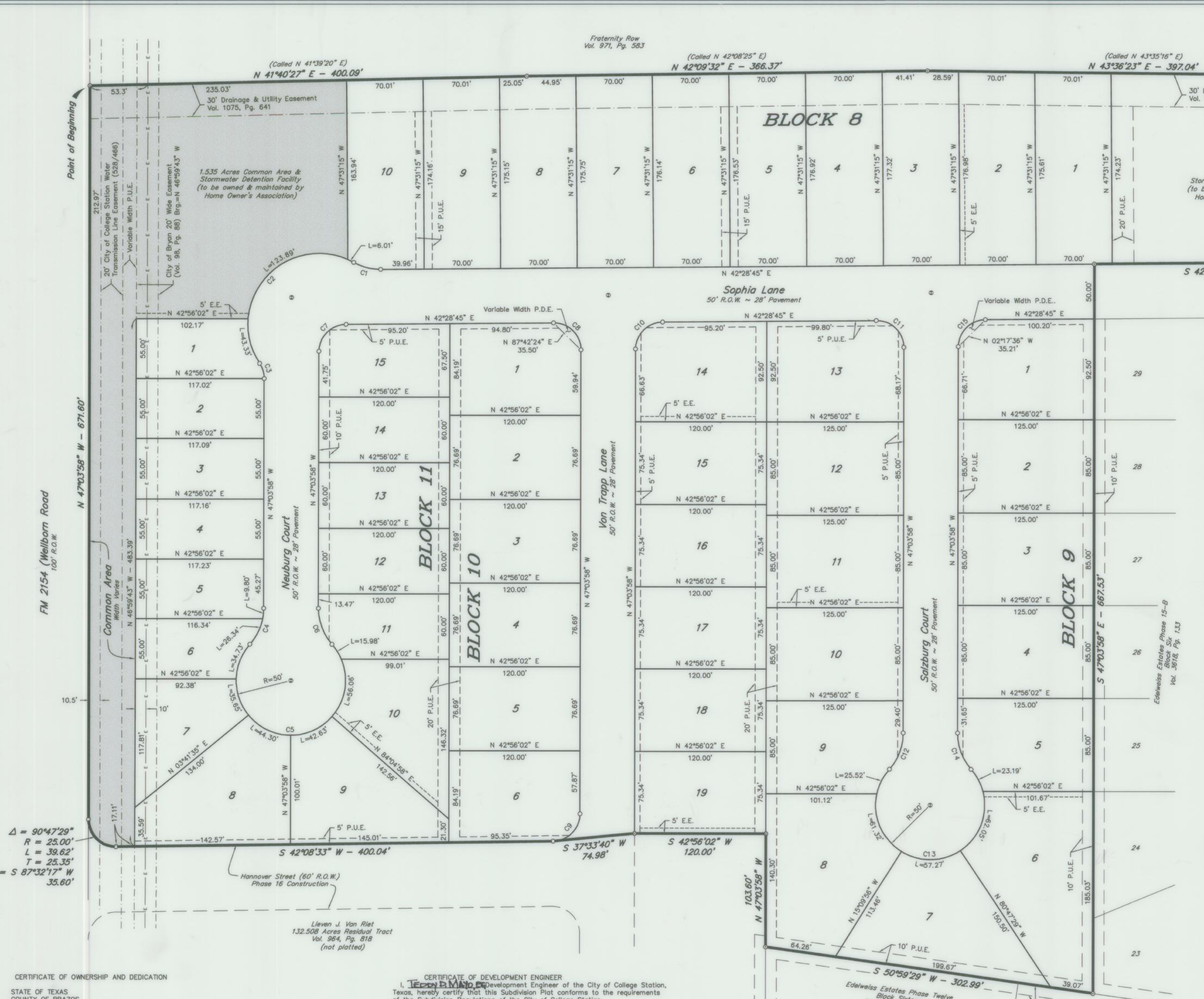
State of Texas
County of

This instrument was acknowledged before me on by

, of

, a corporation, on behalf of said corporation.

Notary Public's Signature



Vicinity Map

CURVE TABLE

CURVE	DELTA	RADIUS	LENGTH	TANGENT	CHORD. BRG.	CHORD
C1	29°35'31"	50.00'	25.82'	13.21'	N 57°16'31" E	25.54'
C2	152°41'40"	65.00'	173.23'	267.60'	S 04°16'34" E	126.33'
C3	33°33'26"	25.00'	14.64'	7.54'	N 63°50'41" W	14.43'
C4	41°24'35"	50.00'	36.14'	18.90'	N 26°21'41" W	35.36'
C5	262°49'09"	50.00'	229.35'	56.69'	N 42°56'02" E	75.00'
C6	41°24'35"	50.00'	36.14'	18.90'	S 67°46'15" E	35.36'
C7	89°32'43"	25.00'	39.07'	24.80'	S 02°17'36" E	35.21'
C8	90°27'17"	25.00'	39.47'	25.20'	S 87°42'24" W	35.50'
C9	89°12'31"	25.00'	38.92'	24.66'	N 02°27'43" W	35.11'
C10	89°32'43"	25.00'	39.07'	24.80'	S 02°17'36" E	35.21'
C11	90°27'17"	25.00'	39.47'	25.20'	S 87°42'24" W	35.50'
C12	41°24'35"	50.00'	36.14'	18.90'	N 26°21'41" W	35.36'
C13	262°49'09"	50.00'	229.35'	56.69'	N 42°56'02" E	75.00'
C14	41°24'35"	50.00'	36.14'	18.90'	S 67°46'15" E	35.36'
C15	89°32'43"	25.00'	39.07'	24.80'	S 02°17'36" E	35.21'

FIELD NOTES
16.634 ACRES

Being all that certain tract or parcel of land lying and being situated in the CRAWFORD BURNETT LEAGUE, Abstract No. 7 in College Station, Brazos County, Texas, and being a portion of the 132.508 acre tract conveyed to Lieven J. Van Riet, Trustee by Lieven J. Van Riet, et al by deed recorded in Volume 964, Page 818 of the Official Records of Brazos County (O.R.B.C.), Texas and being more particularly described by metes and bounds as follows:

BEGINNING: at a 1/2-inch iron rod found marking the most westerly corner of the said 132.508 acre tract, the south corner of the Fraternity Row Subdivision as recorded in Volume 971, Page 583 and being in the northeast right-of-way line of F.M. 2154 (Wellborn Road, based on a 100-foot width);
THENCE: N 41° 40' 27" E (called N 41° 39' 20" E) for a distance of 400.09 feet to a found 1/2-inch iron rod, N 42° 09' 32" E (called N 42° 08' 25" E) for a distance of 366.37 feet to a found 1/2-inch iron rod, N 43° 36' 23" E (called N 43° 35' 16" E) for a distance of 397.04 feet and N 41° 51' 07" E (called N 41° 50' 00" E) for a distance of 21.06 feet along the common line of the said 132.508 acre tract, the southeast line of said Fraternity Row Subdivision and the southeast line of Southwood Valley Section 24C as described in Volume 1097 Page 329 to a found 1/2-inch iron rod marking the northwest corner of Lot 6, Block 7 of EDELWEISS ESTATES, PHASE 15-B, as recorded in Volume 3618, Page 133;
THENCE: along the westerly lines of said EDELWEISS ESTATES, PHASE 15-B for the following three (3) calls:
(1) S 47° 31' 15" E for a distance of 169.97 feet to a found 1/2-inch iron rod for corner,
(2) S 42° 28' 45" W for a distance of 265.76 feet to a found 1/2-inch iron rod for corner,
(3) S 47° 03' 58" E for a distance of 667.53 feet to a found 1/2-inch iron rod for corner, said iron rod also being in the northwest line of EDELWEISS ESTATES, PHASE TWELVE as recorded in Volume 3176, Page 303 (O.R.B.C.);
THENCE: S 50° 59' 29" W along said Phase Twelve line for a distance of 302.99 feet to a found 1/2-inch iron rod for corner;
THENCE: through the interior of said 132.508 acre tract for the following five (5) calls:
(1) N 47° 03' 58" W for a distance of 103.60 feet to a set 1/2-inch iron rod for corner,
(2) S 42° 56' 02" W for a distance of 120.00 feet to a set 1/2-inch iron rod for corner,
(3) S 37° 33' 40" W for a distance of 74.98 feet to a set 1/2-inch iron rod for corner,
(4) S 42° 08' 33" W for a distance of 400.04' to a set 1/2-inch iron rod for the Point of Curvature of a curve to the right and
(5) 39.62 feet along the arc of said curve having a central angle of 90° 47' 29", a radius of 25.00 feet, a tangent of 25.35 feet and a long chord bearing S 87° 32' 17" W at a distance of 35.60 feet to a 3/4-inch iron pipe set for the Point of Tangency, said iron pipe also being in the beforesaid F.M. 2154 right-of-way line;
THENCE: N 47° 03' 58" W along said F.M. 2154 right-of-way line for a distance of 671.60 feet to the POINT OF BEGINNING and containing 16.634 acres of land, more or less.

CERTIFICATE OF SURVEYOR

STATE OF TEXAS
COUNTY OF BRAZOS

I, Michael R. McClure, Registered Professional Land Surveyor No. 2859, 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 property markers and monuments were placed under my supervision on the ground.

Michael R. McClure 10/26/00
Michael R. McClure, R.P.L.S. No. 2859

STATE OF TEXAS REGISTERED MICHAEL R. McCLURE 2859 PROFESSIONAL LAND SURVEYOR

CERTIFICATE OF OWNERSHIP AND DEDICATION

STATE OF TEXAS
COUNTY OF BRAZOS

BEGONIA CORPORATION, owner and developer of the land shown on this plat, and designated herein as the EDELWEISS ESTATES, PHASE 14 Subdivision to 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, easements, and public places thereon shown for the purpose and consideration therein expressed.

James O. Crowell
James O. Crowell, President
BEGONIA CORPORATION

STATE OF TEXAS
COUNTY OF HARRIS

Before me, the undersigned authority, on this day personally appeared James O. Crowell, President, BEGONIA CORPORATION, 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 30 day of October, 2000.

MELONEY BEAN
Notary Public, State of Texas
My Commission Expires 02-20-2004

Meloney Bean
Notary Public, Harris County, Texas

CERTIFICATE OF DEVELOPMENT ENGINEER

I, Teddy D. Mayo, P.E. Development Engineer of the City of College Station, Texas, hereby certify that this Subdivision Plat conforms to the requirements of the Subdivision Regulations of the City of College Station.

Teddy D. Mayo, P.E. 12-05-00
Asst. City Engineer
City of College Station

APPROVAL OF PLANNING AND ZONING COMMISSION

I, Karl Mooney, Chairman of the Planning and Zoning Commission of the City of College Station, hereby certify that the attached plat was duly approved by the Commission on the 25 day of October, 2000.

Karl Mooney
Chairman

ATTEST:
[signature] 12/7/00
City Planning Secretary

CERTIFICATE OF THE COUNTY CLERK

I, Mary Ann Ward, County Clerk, in and for said County, do hereby certify that this plat together with its certificates of authentication was filed for record in my office the 8 day of January 2001, in the Official Records of Brazos County, Texas in Volume 4024, Page 97.

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

Mary Ann Ward
County Clerk
Brazos County, Texas
By: Karen McQueen

GENERAL NOTES:

1. ORIGIN OF BEARING SYSTEM: Monuments found and record bearings along the southwest line of Edelweiss Estates, Phase 15-B Subdivision as recorded in Volume 3618, Page 133 of the Brazos County Official Records were used as the basis of bearings shown on this plat.
2. The building setback requirements are established by the City of College Station Zoning Ordinance No. 1638.
4. According to the Flood Insurance Rate Maps for Brazos County, Texas and Incorporated Areas, Map Number 48041C0182 C, effective July 2, 1992, this property is not located in a 100-year flood hazard area.
5. Unless otherwise indicated, all lot corners are marked with 1/2" iron rods.
   - Indicates 3/4" iron pipe set
   - Indicates 1/2" iron rod set on subdivision boundary
   - Indicates 1/2" iron rod found
   - PK Nail Control Monuments set in asphalt pavement. Monuments set a ℄ Intersections and Radius Points of Culdesacs.
6. ABBREVIATION:
   P.U.E. – Public Utility Easement
   P.D.E. – Public Drainage Easement
   E.E. – Electrical Easement

FINAL PLAT

EDELWEISS ESTATES PHASE 14

16.634 ACRES

CRAWFORD BURNETT LEAGUE, A-7

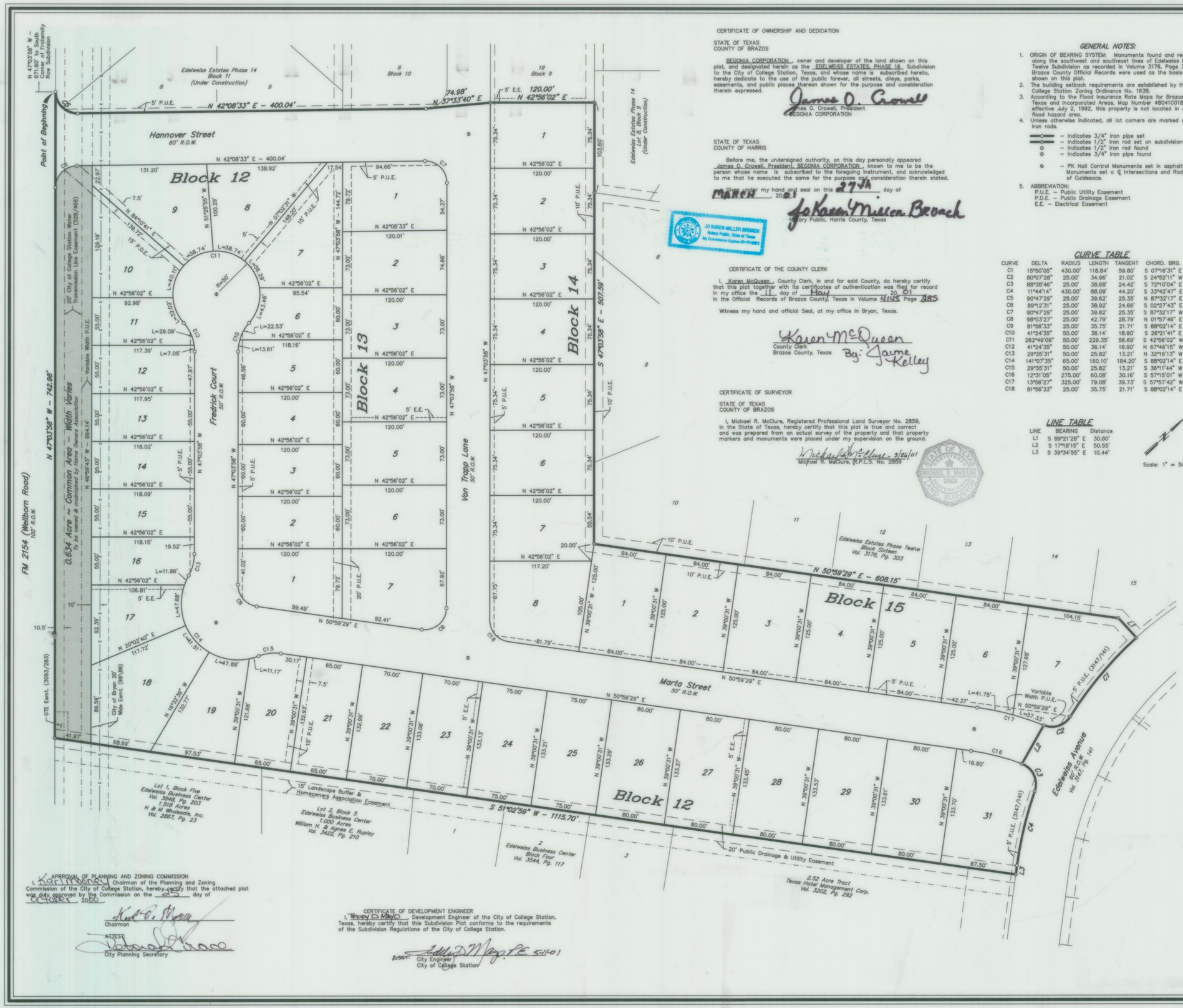
COLLEGE STATION, BRAZOS COUNTY, TEXAS

APRIL, 2000
SCALE: 1" = 50'

Owner:
Begonia Corporation
1901 San Jacinto
Houston, Texas 77002
(713) 652-0654

Surveyor:
McClure Engineering, Inc.
1003 Woodcreek Dr., Suite 103
College Station, Texas 77845
(979) 693-3838

0005fp14.dwg



CERTIFICATE OF OWNERSHIP AND DEDICATION

STATE OF TEXAS
COUNTY OF BRAZOS

BEGONIA CORPORATION, owner and developer of the land shown on this plat, and designated herein as the EDELWEISS ESTATES, PHASE 16, Subdivision to 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, easements, and public places thereon shown for the purpose and consideration therein expressed.

James O. Crowell
James O. Crowell, President
BEGONIA CORPORATION

STATE OF TEXAS
COUNTY OF HARRIS

Before me, the undersigned authority, on this day personally appeared James O. Crowell, President, BEGONIA CORPORATION, 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 29th day of MARCH, 2001

Jo Karen Miller Broach
Notary Public, Harris County, Texas

JO KAREN MILLER BROACH
Notary Public, State of Texas
My Commission Expires 07-17-2003

CERTIFICATE OF THE COUNTY CLERK

I, Karen McQueen, County Clerk, in and for said County, do hereby certify that this plat together with its certificates of authentication was filed for record in my office the 11 day of May, 20 01 in the Official Records of Brazos County, Texas in Volume 4145 Page 185

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

Karen McQueen
County Clerk
Brazos County, Texas By: Jaime Kelley

CERTIFICATE OF SURVEYOR

STATE OF TEXAS
COUNTY OF BRAZOS

I, Michael R. McClure, Registered Professional Land Surveyor No. 2859, 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 property markers and monuments were placed under my supervision on the ground.

Michael R. McClure 3/26/01
Michael R. McClure, R.P.L.S. No. 2859

STATE OF TEXAS
REGISTERED
MICHAEL R. MCCLURE
2859
PROFESSIONAL
LAND SURVEYOR

GENERAL NOTES:

1. ORIGIN OF BEARING SYSTEM: Monuments found and record bearings along the southwest and southeast lines of Edelweiss Estates, Phase Twelve Subdivision as recorded in Volume 3176, Page 303 of the Brazos County Official Records were used as the basis of bearings shown on this plat.
2. The building setback requirements are established by the City of College Station Zoning Ordinance No. 1638.
3. According to the Flood Insurance Rate Maps for Brazos County, Texas and Incorporated Areas, Map Number 48041C0182 C, effective July 2, 1992, this property is not located in a 100-year flood hazard area.
4. Unless otherwise indicated, all lot corners are marked with 1/2" iron rods.

   – Indicates 3/4" iron pipe set
   – Indicates 1/2" iron rod set on subdivision boundary
   – Indicates 1/2" iron rod found
   – Indicates 3/4" iron pipe found
   – PK Nail Control Monuments set in asphalt pavement. Monuments set ∅ Intersections and Radius Points of Culdesacs.
5. ABBREVIATION:
   P.U.E. – Public Utility Easement
   P.D.E. – Public Drainage Easement
   E.E. – Electrical Easement

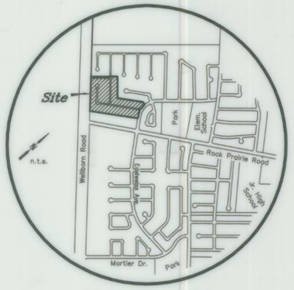
CURVE TABLE

CURVE	DELTA	RADIUS	LENGTH	TANGENT	CHORD. BRG.	CHORD
C1	15°50'05"	430.00'	118.84'	59.80'	S 07°16'31" E	118.46'
C2	80°07'28"	25.00'	34.96'	21.02'	S 24°52'11" W	32.18'
C3	88°38'46"	25.00'	38.68'	24.42'	S 72°10'04" E	34.94'
C4	11°44'14"	430.00'	88.09'	44.20'	S 33°42'47" E	87.93'
C5	90°47'29"	25.00'	39.62'	25.35'	N 87°32'17" E	35.60'
C6	89°12'31"	25.00'	38.92'	24.66'	S 02°27'43" E	35.11'
C7	90°47'29"	25.00'	39.62'	25.35'	S 87°32'17" W	35.60'
C8	98°03'27"	25.00'	42.79'	28.79'	N 01°57'46" E	37.75'
C9	81°56'33"	25.00'	35.75'	21.71'	S 88°02'14" E	32.78'
C10	41°24'35"	50.00'	36.14'	18.90'	S 26°21'41" E	35.36'
C11	262°49'09"	50.00'	229.35'	56.69'	S 42°56'02" W	75.00'
C12	41°24'35"	50.00'	36.14'	18.90'	N 67°46'15" W	35.36'
C13	29°35'31"	50.00'	25.82'	13.21'	N 32°16'13" W	25.54'
C14	141°07'35"	65.00'	160.10'	184.20'	S 88°02'14" E	122.59'
C15	29°35'31"	50.00'	25.82'	13.21'	S 36°11'44" W	25.54'
C16	12°31'05"	275.00'	60.08'	30.16'	S 57°15'01" W	59.96'
C17	13°56'27"	325.00'	79.08'	39.73'	S 57°57'42" W	78.88'
C18	81°56'33"	25.00'	35.75'	21.71'	S 88°02'14" E	32.78'

LINE TABLE

LINE	BEARING	Distance
L1	S 89°21'28" E	30.80'
L2	S 17°18'15" E	50.55'
L3	S 39°34'55" E	10.44'

Scale: 1" = 50'



Vicinity Map

FIELD NOTES
14.752 ACRES

Being all that certain tract or parcel of land lying and being situated in the CRAWFORD BURNETT LEAGUE, Abstract No. 7 in College Station, Brazos County, Texas, and being a portion of the 132.508 acre tract conveyed to Lieven J. Van Riet, Trustee by Lieven J. Van Riet, et al by deed recorded in Volume 964, Page 818 of the Official Records of Brazos County (O.R.B.C.), Texas and being more particularly described by metes and bounds as follows:

BEGINNING: at a 1/2-inch iron rod set for the most westerly corner of this tract, said iron rod being in the northeast right-of-way line of F.M. 2154 (Wellborn Road, based on a 100-foot width), from whence the most westerly corner of the said 132.508 acre tract and the south corner of Fraternity Row Subdivision as recorded in Volume 971, Page 583 bears N 47° 03' 58" W at a distance of 671.60 feet;
THENCE: into the interior of the said 132.508 acre tract for the following four (4) calls:
(1) 39.62 feet in a counter-clockwise direction along the arc of of a curve having a central angle of 90° 47' 29", a radius of 25.00 feet, a tangent of 25.35 feet and a long chord bearing N 87° 32' 17" E at a distance of 35.60 feet to a 3/4-inch iron pipe set for the Point of Tangency,
(2) N 42° 08' 33" E for a distance of 400.04 feet to a 3/4-inch iron pipe set for an angle point,
(3) N 37° 33' 40" E for a distance of 74.98 feet to a 1/2-inch iron rod set for corner;
(4) N 42° 56' 02" E for a distance of 120.00 feet to a 1/2-inch iron rod set for corner,
THENCE: S 47° 03' 58" E, at 103.60 feet pass the west corner of Edelweiss Estates, Phase Twelve as recorded in Volume 3176, Page 303, continue for a total distance of 507.59 feet to a found 1/2-inch iron rod for corner,
THENCE: N 50° 59' 29" E along the southeast line of said Phase Twelve for a distance of 608.15 feet to a found 1/2-inch iron rod for corner,
THENCE: S 89° 21' 28" E for a distance of 30.80 feet to a found 1/2-inch iron rod for corner, said iron rod also being in the northwest right-of-way line of Edelweiss Avenue as dedicated by plat recorded in Volume 3147, Page 141 (O.R.B.C.),
THENCE: 118.84 feet in a counter-clockwise direction along the arc of a curve in said Edelweiss Avenue right-of-way line, said curve having a central angle of 15° 50' 05", a radius of 430.00 feet, a tangent of 59.80 feet and a long chord bearing S 07° 16' 31" E at a distance of 118.46 feet to a found 1/2-inch iron rod for the Point of Reverse Curvature,
THENCE: 34.96 feet in a clockwise direction along said reverse curve having a central angle of 80° 07' 28", a radius of 25.00 feet, a tangent of 21.02 feet and a long chord bearing S 24° 52' 11" W at a distance of 32.18 feet to a found 1/2-inch iron rod for corner,
THENCE: S 17° 18' 15" E at a distance of 50.55 feet to a found 1/2-inch iron rod for corner,
THENCE: 38.68 feet in a clockwise direction along the arc of a curve having a central angle of 88° 38' 46", a radius of 25.00 Feet, a tangent of 24.42 feet and a long chord bearing S 72° 10' 04" E at a distance of 34.94 feet to a found 1/2-inch iron rod for the Point of Reverse Curvature,
THENCE: 88.09 feet in a counter-clockwise direction along the arc of said reverse curve having a central angle of 11° 44' 14", a radius of 430.00 feet, a tangent of 44.20 feet and a long chord bearing S 33° 42' 47" E at a distance of 87.93 feet to a found 1/2-inch iron rod for the Point of Tangency,
THENCE: S 39° 34' 55" E for a distance of 10.44 feet to a found 1/2-inch iron rod marking the most northerly corner of the Texas Hotel Management Corp. 2.52 acre tract as described in Volume 3202, Page 292 (O.R.B.C.);
THENCE: S 51° 02' 59" W for a distance of 1115.70 feet to a found 1/2-inch iron rod for the most southerly corner of this tract and being in the beforementioned F.M. 2154 right-of-way line and also being the most westerly corner of Lot 1, Block Five of Edelweiss Business Center as recorded in Volume 3848, Page 203;
THENCE: N 47° 03' 58" W for a distance of 724.98 feet to the POINT OF BEGINNING and containing 14.752 acres of land, more or less.

APPROVAL OF PLANNING AND ZONING COMMISSION

I, Karl Mooney Chairman of the Planning and Zoning Commission of the City of College Station, hereby certify that the attached plat was duly approved by the Commission on the 25 day of October, 2000

Karl O. Mooney
Chairman

ATTEST:
City Planning Secretary

CERTIFICATE OF DEVELOPMENT ENGINEER

I, Eddy D. Mayo, Development Engineer of the City of College Station, Texas, hereby certify that this Subdivision Plat conforms to the requirements of the Subdivision Regulations of the City of College Station.

Eddy D. Mayo, P.E. 5-11-01
ASST. City Engineer
City of College Station

FINAL PLAT

EDELWEISS ESTATES PHASE 16

14.752 ACRES

CRAWFORD BURNETT LEAGUE, A-7

COLLEGE STATION, BRAZOS COUNTY, TEXAS

APRIL, 2000
SCALE: 1" = 50'

Owner:
Begonia Corporation
1901 San Jacinto
Houston, Texas 77002
(713) 652-0654

Surveyor:
McClure Engineering, Inc.
1003 Woodcreek Dr., Suite 103
College Station, Texas 77845
(979) 693-3838

00059p16.dwg

Attachment “I”

Inclusion in Highway Construction Contract

“Not applicable for this adjustment.”

March 9, 2006
Consent Agenda
Wolf Pen Creek Upper Trails Phase II Change Order #1

To: Glenn Brown, Interim City Manager

From: Charles McLemore, Acting Director of Public Works

Agenda Caption: Presentation, possible action, and discussion regarding a change order in the amount of $112,406.86 to JaCody, Inc. for construction work associated with Phase II of the Wolf Pen Creek Upper Trails for a revised contract amount of $578,295.36.

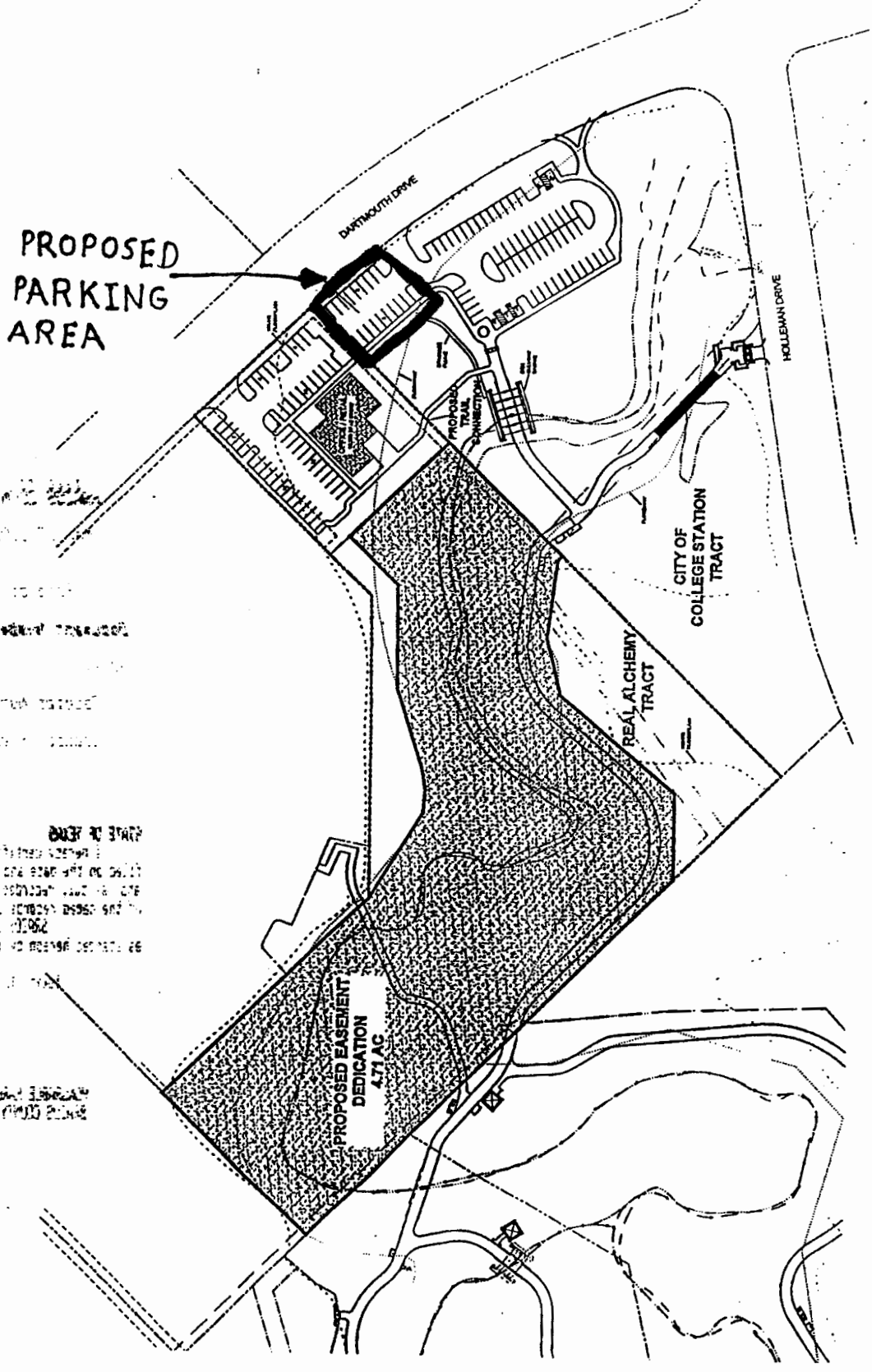
Recommendation(s): Staff recommends approval of Change Order #1 to JaCody, Inc. in the amount of $112,406.86.

Summary: This item is for the approval of a Change Order for construction of 15 additional parking spaces. The parking area is required to be built by March 1, 2008 as a condition of the land agreement reached with Real Alchemy I, LP. Contract #05-230 was approved by Council on July 28, 2005 (Item 3.2) for the purpose of constructing Phase II of the Wolf Pen Creek Upper Trails. The construction was bid out in phases so that work could begin on one phase while land acquisition was completed on remaining parcels in the project area. Other items in the change order are for changes in the trail required after clearing to work around unanticipated topography, raise signal boxes adjacent to the sidewalks at the intersection of Dartmouth and Holleman to eliminate pedestrian safety hazards and various items transferred from Phase I of the Upper Trails project to Phase II of the project in order to maintain a construction entrance.

Budget & Financial Summary: Funds are available for the change order through the Wolf Pen Creek TIF Fund ($101,058.28) and the Sidewalk Improvements project (ST0517) ($11,348.58).

Attachments:

1. Project Location Map
2. Change Order #1


HOLLEMANN & DARTMOUTH NW
UPPER TRAIL CONNECTIVITY DEDICATION
PROPOSED PARKING AREA
DARTMOUTH DRIVE
HOLLEMAN DRIVE
PROPOSED TRAIL CONNECTION
CITY OF COLLEGE STATION TRACT
REAL ALCHEMY TRACT
PROPOSED EASEMENT DEDICATION 4.71 AC

CHANGE ORDER NO. 1 Contact # 05-230 DATE: February 9, 2006

P.O.# 051140 PROJECT: Wolf Pen Creek Upper Trails, Drainage Improvements, and Parking Lot Project, SD-9901, WP-9903 & WP-9905

OWNER:	**CONTRACTOR:**	
City of College Station	JaCody, Inc.	
P.O. Box 9960	10770 SH 30, Suite 400	Ph: (979) 774-5613
College Station, Texas 77842	College Station, TX 77845	Fax: (979) 774-5693

PURPOSE OF THIS CHANGE ORDER:

A.The purpose of Change Order No. 1 for the second phase of the Wolf Pen Creek Upper Trails Project is to revise quantities of materials used in construction, credit the City for items deleted from the original contract which were removed from the project. This change order also includes the construction of the parking area that was agreed to in the land agreement with Real Alchemy I, LP. Items 11 through IP1 below are quantity deletions, revisions and additions based upon the need to relocate a portion of the Phase II trail further away from the Creek bank, a detail which was not realized until after clearing of the trail path had been accomplished. Also, items from Phase I of the Upper Trails were transferred to the Phase II contract in order to maintain an open and clear construction entrance adjacent to the parking lot of Johnny Corino's. Items P1 through P14 reflect the additional items required for the construction of the parking lot and trail section required as part of the land agreement for Phase II between the City of College Station and Real Alchemy, Ltd. Item SB1 references the need to raise 3 signal boxes on the northwest corner of the Dartmouth and Holleman intersection to grade with the new sidewalk to remove a potential tripping hazard along the existing sidewalk.

**********(Please use accounting information at end of this change order.)**********

ITEM NO	UNIT	DESCRIPTION	UNIT PRICE	ORIGINAL QUANTITY	REVISED QUANTITY	ADDED COST
11	LF	24" RCP, all types of backfill	$62.00	53.0	0	($3,286.00)
13	EA	8" Ductile Iron Pipe, 40' long (w/ headwalls)	$740.00	1	0	($740.00)
14	EA	Sloped headwall for 24" RCP	$1,500.00	2	0	($3,000.00)
15	SY	Rock Rip Rap (12" to 18" in diameter)	$55.00	70	210	$7,700.00
21	SY	Bermuda Grass Sod	$3.00	100	287	$561.00
H1	LS	Hydromulch	$600.00	0	1	$600.00
UT1	SY	5" Concrete Trail From Phase I	$75.00	0	7.1767	$538.25
UT2	EA	Lighted Bollards	$1,200.00	0	2	$2,400.00
IP1	LS	12" Ductile Iron Pipe and associated work	$9,204.00	0	1	$9,204.00
P1	EA	Removal of Trees 12" diameter or less	$400.00	0	8	$3,200.00
P2	YC	Fill	$17.50	0	315	$5,512.50
P3	SY	Cement Stabilization	$5.50	0	551	$3,030.50
P4	SF	Demo Sidewalk	$1.50	0	720	$1,080.00
P5	LF	Demo Curb & Gutter	$7.50	0	60	$450.00
P6	SY	5" Concrete Trail	$62.00	0	145.59	$9,026.58
P7	SY	6" Concrete paving with Curb	$41.20	0	524.77	$21,620.52
P8	SY	5" Colored Concrete Ramp	$90.00	0	8.8	$792.00
P9	LF	18" RCP	$70.00	0	60	$4,200.00
P10	EA	Curb Inlet	$2,400.00	0	1	$2,400.00
P11	LS	Electrical	$15,927.50	0	1	$15,927.50
P12	LS	Landscape	$12,035.90	0	1	$12,035.90
P13	LS	Irrigation	$4,894.40	0	1	$4,894.40
P14	LS	Bridge	$13,209.70	0	1	$13,209.70
SB1	EA	Raise Signal Box to grade with sidewalk	$350.00	0	3	$1,050.00
					TOTAL	$112,406.86

THE NET AFFECT OF THIS CHANGE ORDER IS A 24.13% INCREASE.

ORIGINAL CONTRACT AMOUNT	$465,888.50		
Change Order No. 1	$112,406.86	24.13%	CHANGE
REVISED CONTRACT AMOUNT	$578,295.36	24.13%	TOTAL CHANGE

SUBSTANTIAL COMPLETION DATE	11-Mar-06
CHANGE ORDER #1 REQUESTED ADDITIONAL DAYS:	34
REVISED SUBSTANTIAL COMPLETION DATE	14-Apr-06

APPROVED

A/E CONTRACTOR	Date 1/23/06	DIRECTOR OF FISCAL SERVICES	Date
CONSTRUCTION CONTRACTOR	Date 1/25/06	CITY ATTORNEY	Date
PROJECT MANAGER	Date 1/23/06	MAYOR	Date
CITY ENGINEER	Date 1/24/06	CITY SECRETARY	Date
DEPARTMENT DIRECTOR	Date 01/24/06	CITY MANAGER	Date

P.O Line Item	Accounting Information	Original Contract	Change Order #1	Contract
1	WPC Drainage, SD-9901, 912-9111-975.30-20	$155,296.16	$0.00	$155,296.16
2	WPC Parking Lot,WP-9903, 127-9111-977.30-20	$0.00	$0.00	$0.00
3	WPC Upper Trails, WP-9905, 127-9111-977.30-20	$310,592.34	$112,406.86	$422,999.20
	TOTAL	**$465,888.50**	**$112,406.86**	**$578,295.36**

March 9, 2006
Consent Agenda
Rock Prairie Road Speed Limit

To: Glenn Brown, Interim City Manager

From: Charles McLemore, Acting Director of Public Works

Agenda Caption: Presentation, possible action, and discussion on consideration of an ordinance amending Chapter 10, Section 3E (2)(i)(10), of the College Station Code of Ordinances changing the posted speed limit on the section of Rock Prairie Road south of Greens Prairie Road from 35 mph to 50 mph.

Recommendation(s): Staff recommends approval of the ordinance amendment.

Summary: This item will amend Chapter 10, "Traffic Code," by changing the posted speed limit from 35 mph to 50 mph on the section of Rock Prairie Road south of Greens Prairie Road to the south city limit. The city recently placed a hot-mix overlay on this section of Rock Prairie Road, which previously was a gravel road. Due to the improved roadway surface, traffic speeds in the area have increased. A speed study was conducted on this section of Rock Prairie Road during February 2006 which revealed that motorists were exceeding the posted speed limit. Since the speed limit on Rock Prairie Road immediately north of Greens Prairie Road is currently 50 mph, increasing the speed limit to 50 mph on the south side of the intersection will allow for a continuity of the speed zone.

Budget & Financial Summary: Funds for the "Speed Limit" signs are included in the construction costs associated with the Greens Prairie Road and Arrington Road Realignment Project.

Attachments:
1. Ordinance
2. Location Map

ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 10, "TRAFFIC CODE", OF THE CODE OF ORDINANCES OF THE CITY OF COLLEGE STATION, TEXAS, BY AMENDING CERTAIN SECTIONS AS SET OUT BELOW; PROVIDING A SEVERABILITY CLAUSE; DECLARING A PENALTY; AND PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF COLLEGE STATION, TEXAS:

PART 1: That Chapter 10, "TRAFFIC CODE", of the Code of Ordinances of the City of College Station, Texas, be amended as set out in Exhibit "A", attached hereto and made a part of this ordinance for all purposes.

PART 2: That if any provisions of any section of this ordinance shall be held to be void or unconstitutional, such holding shall in no way effect the validity of the remaining provisions or sections of this ordinance, which shall remain in full force and effect.

PART 3: That any person, firm, or corporation violating any of the provisions of this chapter shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punishable by a fine of not less than Twenty-five Dollars ($25.00) nor more than Two Hundred Dollars ($200.00). Each day such violation shall continue or be permitted to continue, shall be deemed a separate offense. Said Ordinance, being a penal ordinance, becomes effective ten (10) days after its date of passage by the City Council, as provided by Section 34 of the Charter of the City of College Station.

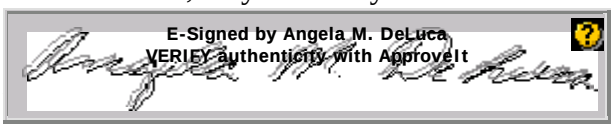
PASSED, ADOPTED and APPROVED this _____ day of _____, 2006.

APPROVED:

_____
RON SILVIA, Mayor

ATTEST:

_____
Connie Hooks, City Secretary



_____
City Attorney

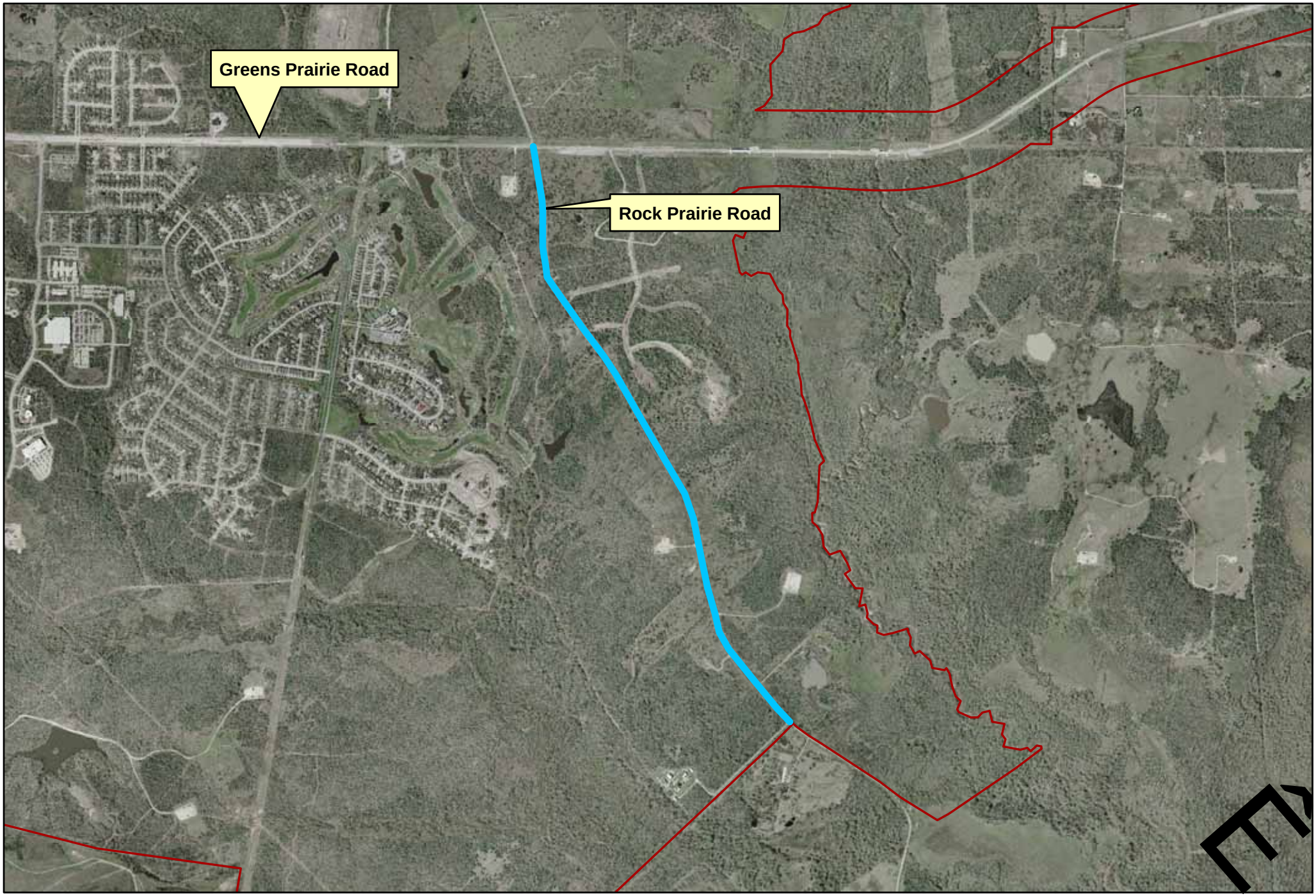
EXHIBIT "A"

That Chapter 10, "Traffic Code", Section 3.E(2), of the Code of Ordinances of the City of College Station, Texas, is hereby amended, by amending paragraph (i), subsection (10) as set out hereafter to read as follows:

"(10) Rock Prairie Road, for traffic moving east and west, the speed limit shall be forty (40) miles per hour from the intersection of Rock Prairie Road and FM 2154 (Wellborn Road) to the intersection of Rock Prairie Road and SH 6 East Frontage Road.

For traffic moving in an easterly direction for the first 0.498 mile from the intersection of Rock Prairie Road and SH 6 East Frontage Road, the speed limit shall be forty-five (45) miles per hour. For the next 4.489 miles, the speed limit shall be fifty (50) miles per hour to the South City Limit.

For traffic moving in a westerly direction, for the first 4.489 miles from the South City Limit, the speed limit shall be fifty (50) miles per hour. For the next 0.498 mile, the speed limit shall be forty-five (45) miles per hour to the intersection of Rock Prairie Road and SH 6 East Frontage Road."



Location Map

Proposed 50 mph Speed Zone

Feet
0 1,000 2,000 4,000

March 9, 2006

March 9, 2006
Consent Agenda
Intersections Controlled with Stop Signs

To: Glenn Brown, Interim City Manager

From: Charles McLemore, Acting Director of Public Works

Agenda Caption: Presentation, possible action, and discussion on consideration of an ordinance modifying Chapter 10, "Traffic Code," Section 2.C and 2.D of the Code of Ordinances of the City of College Station by updating the Traffic Control Device Inventory – Schedules II and III. This ordinance changes the traffic control at the Victoria Avenue and Graham Road intersection from a two-way to a four-way stop controlled intersection.

Recommendation(s): Staff recommends approval of the ordinance amendment.

Summary: This item will modify Chapter 10, "Traffic Code," by updating schedules II and III of the Traffic Control Device Inventory. As residential areas continue to be constructed and the residential streets accepted by the City, new stop signs are required on these residential streets where they intersect larger roadways. This ordinance adopts these signs as well as changing the traffic control at the Victoria Avenue and Graham Road intersection from a two-way stop controlled operation to a four-way stop controlled operation. A multi-way stop warrant analysis was conducted at this intersection in February 2006 after Victoria Avenue was opened from this intersection to Barron Road.

The adoption of this ordinance will authorize enforcement of the stop signs and improve the safety at the Victoria Avenue and Graham Road intersection.

Budget & Financial Summary: The "Stop" signs are planned operation and maintenance expenses accounted for in the Public Works Traffic Operation budget.

Attachments:
1. Ordinance
2. Traffic Control Device Inventory Schedule II
3. Traffic Control Device Inventory Schedule III

ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 10, "TRAFFIC CODE", OF THE CODE OF ORDINANCES OF THE CITY OF COLLEGE STATION, TEXAS, BY AMENDING CERTAIN SECTIONS AS SET OUT BELOW; PROVIDING A SEVERABILITY CLAUSE; DECLARING A PENALTY; AND PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF COLLEGE STATION, TEXAS:

PART 1: That Chapter 10, "Traffic Code", of the Code of Ordinances of the City of College Station, Texas, be amended as set out in Exhibit "A", attached hereto and made a part of this ordinance for all purposes.

PART 2: That if any provisions of any section of this ordinance shall be held to be void or unconstitutional, such holding shall in no way effect the validity of the remaining provisions or sections of this ordinance, which shall remain in full force and effect.

PART 3: That any person, firm, or corporation violating any of the provisions of this chapter shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punishable by a fine of not less than Twenty-Five Dollar ($25.00) nor more than Two Hundred Dollars ($200.00). Each day such violation shall continue or be permitted to continue, shall be deemed a separate offense. Said Ordinance, being a penal ordinance, becomes effective ten (10) days after its date of passage by the City Council, as provided by Section 34 of the Charter of the City of College Station.

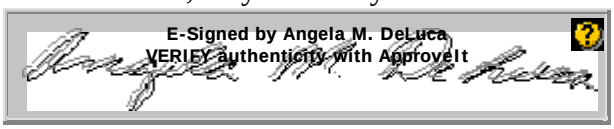
PASSED, ADOPTED and APPROVED this _____ day of _____, 2006.

APPROVED:

_____
RON SILVIA, Mayor

ATTEST:

_____
Connie Hooks, City Secretary



_____
City Attorney

EXHIBIT "A"

That Chapter 10, Section 2C, of the Code of Ordinances of the City of College Station, Texas, is hereby amended to read as follows:

"C. FOUR-WAY STOP INTERSECTIONS

The City hereby designates certain intersections to be controlled by four-way stop signs. The designated four-way stop intersections for the City of College Station are described in Traffic Control Device Inventory - Schedule II on file in the office of the City Secretary. This schedule is hereby adopted and incorporated in this Code as if set out at length herein. The schedule may be amended from time to time by ordinance of the City Council. A current schedule shall be maintained by the City Secretary at all times."

That Chapter 10, Section 2D, of the Code of Ordinances of the City of College Station, Texas, is hereby amended to read as follows:

"D. SPECIAL HAZARD INTERSECTIONS CONTROLLED BY STOP SIGNS

The City hereby designates certain special hazard intersections to be controlled by stop signs. The designated special hazard intersections for the City of College Station to be controlled by stop signs are described in Traffic Control Device Inventory - Schedule III on file in the office of the City Secretary. This schedule is hereby adopted and incorporated in this Code as if set out at length herein. The schedule may be amended from time to time by ordinance of the City Council. A current schedule shall be maintained by the City Secretary at all times."

TRAFFIC CONTROL DEVICE INVENTORY SCHEDULE II
FOUR-WAY STOP INTERSECTIONS

Route	Route Ahead	Travel Dir.	Size	Origin Date
Boyett ST	Church AVE	North	30"	1/23/1995
Boyett ST	Church AVE	South	30"	1/13/1995
Church AVE	Nagle ST	East	30"	3/27/1986
Church AVE	Nagle ST	West	30"	3/27/1986
Church AVE	College Main	East	30"	3/10/1987
Church AVE	College Main	West	30"	1/1/1985
Church AVE	Boyett ST	West	30"	12/31/2002
Church AVE	Boyett ST	East	30"	12/31/2002
College Main	Church AVE	North	30"	7/25/1997
College Main	Church AVE	South	30"	8/11/1988
Deacon DR	Welsh AVE	West	30"	7/14/1987
Deacon DR	Welsh AVE	East	30"	7/14/1987
Deacon DR	Rio Grande BLVD	West	30"	5/15/1989
Deacon DR	Rio Grande BLVD	East	30"	5/15/1989
Dominik DR	Munson AVE	East	30"	12/12/1986
Dominik DR	Munson AVE	West	30"	3/31/1987
Dominik DR	George Bush East DR	East	30"	3/25/1987
Dominik DR	George Bush East DR	West	30"	11/5/1987
Eleanor ST	Holleman DR	South	30"	4/22/1986
Faulkner DR	Frost DR	West	30"	7/3/1995
Faulkner DR	Frost DR	East	30"	7/3/1995
Francis DR	Munson AVE	East	30"	1/6/1990
Francis DR	Munson AVE	West	30"	1/6/1990
Frost DR	Faulkner DR	North	30"	7/3/1995
Frost DR	Faulkner DR	South	30"	7/3/1995
George Bush East	Dominik DR	South	30"	12/3/1997
George Bush East	Dominik DR	North	30"	12/3/1997
Graham RD	Longmire DR	North	30"	10/20/2005
Graham RD	Longmire DR	South	30"	10/20/2005
Graham RD	Victoria AVE	East	30"	3/9/2006
Graham RD	Victoria AVE	West	30"	3/9/2006
Holleman DR	Welsh AVE	East	30"	6/24/1997
Holleman DR	Welsh AVE	West	30"	6/24/1997
Holleman DR	Eleanor ST	West	30"	5/22/2000
Holleman DR	Phoenix ST	East	30"	5/22/2000
Langford ST	Southwest PKWY	North	30"	4/15/1987
Langford ST	Southwest PKWY	South	30"	1/1/1986
Longmire DR	Graham RD	South	30"	11/10/2003
Longmire DR	Graham RD	North	30"	8/9/2005
Munson AVE	Francis DR	North	30"	3/18/1987
Munson AVE	Francis DR	South	30"	3/16/1987
Munson AVE	Dominik DR	North	30"	3/16/1987
Munson AVE	Dominik DR	South	30"	12/12/1985
Munson AVE	University Oaks	North	30"	11/17/1997
Munson AVE	University Oaks	South	30"	11/17/1997

Nagle ST	Church AVE	North	30"	8/11/1988
Nagle ST	Church AVE	South	30"	8/11/1988
Phoenix ST	Holleman DR	North	30"	1/21/1994
Rio Grande BLVD	Deacon DR	North	30"	4/25/1997
Rio Grande BLVD	Deacon DR	South	30"	4/25/1997
Southwest PKWY	Langford ST	East	30"	2/10/1994
Southwest PKWY	Langford ST	West	30"	7/23/1995
University Oaks	Munson AVE	East	30"	5/14/1990
University Oaks	Munson AVE	West	30"	5/14/1990
Victoria AVE	Graham RD	South	30"	9/4/1996
Victoria AVE	Graham RD	North	30"	1/30/2002
Welsh AVE	Holleman DR	North	30"	4/11/1997
Welsh AVE	Holleman DR	South	30"	4/15/1991
Welsh AVE	Deacon DR	South	30"	7/18/1991
Welsh AVE	Deacon DR	North	30"	7/18/1991

TRAFFIC CONTROL DEVICE INVENTORY SCHEDULES III
SPECIAL HAZARD INTERSECTIONS CONTROLLED BY STOP SIGNS

Route	Route Ahead	Travel Dir.	Size	Origin Date
12 TH Man CR.	Pebble Creek Pkwy	West	30"	8/29/1995
Abbey LN	Victoria AVE	West	30"	7/3/1997
Aberdeen PL	Dexter DR	West	24"	1/1/1986
Adrienne DR	Treehouse TR	North	24"	4/23/1987
Adrienne DR	Treehouse TR	South	24"	4/23/1987
Adrienne DR	Ponderosa DR	South	24"	4/2/1987
Adrienne DR	Deacon DR	North	30"	12/10/1997
Adrienne CIR	Deacon DR	South	24"	3/12/1987
Agate DR	Lakeway Dr	West	30"	6/62002
Airline DR	Southwood DR	East	30"	2/19/1997
Airline DR	Southwood DR	West	30"	5/28/1987
Airline DR	Shenandoah DR	East	24"	4/7/1987
Airline DR	Shenandoah DR	West	24"	4/7/1987
Airline DR	Longmire DR	East	30"	3/26/1987
Airline DR	Rio Grande BLVD	West	30"	4/7/1987
Alabama ST	Carolina ST	East	24"	3/10/1987
Alabama ST	Carolina ST	West	24"	3/10/1987
Alexandria AVE	Barron RD	North	30"	3/31/1999
Alexandria AVE	Barron RD	South	30"	10/20/1999
Alexandria AVE	Southern Plantation DR	South	30"	5/28/2002
Alexandria AVE	Southern Plantation DR	North	30"	3/26/2004
Alpine CR	Anderson ST	West	24"	7/30/1997
Amber Hill	Amber Ridge DR	West	24"	3/4/1987
Amber Ridge D	Emerald Pkwy	South	30"	3/17/1987
Amberwood CT	Woodcreek DR	South	24"	8/25/2000
Amethyst CT	Amber Ridge DR	East	24"	6/5/1994
Amherst CT	Cornell DR	West	24"	3/11/1987
Angelina CR	Valley View DR	South	30"	4/28/1987
Angelina CR	Southwood DR	East	30"	1/1/1987
Angelina CR	Southwood DR	West	30"	1/2/1984
Angus ST	Fairview AVE	East	24"	3/18/1987
Angus ST	Fairview AVE	West	24"	3/18/1987
Angus ST	Montclair AVE	West	24"	10/7/1998
Angus ST	Ayrshire ST	East	30"	2/25/1999
Anna ST	Holik ST	East	30"	3/23/1987
Anna ST	Timber ST	West	30"	4/23/1987
Antelope LN	Navarro DR	North	24"	11/15/1999
Antelope LN	Navarro DR	South	24'	11/15/1999
Antone CT	Anderson ST	East	24"	7/30/1991
Appomattox DR	Raintree DR	North	30"	3/4/1987
Appomattox DR	Raintree DR	South	30"	3/4/1987
Appomattox DR	Harvey RD	North	30"	3/4/1987
Appomattox DR	Emerald Pkwy	North	30"	1/1/1985
Appomattox DR	Emerald Pkwy	South	30"	1/1/1985
Appomattox DR	North Forest Pkwy	North	30"	12/12/1996

April Bloom	Spring Loop	South	24"	4/13/1987
April Bloom	Autumn CIR	West	24"	9/15/1997
Arboles CT	Nueces DR	North	30"	4/1/1987
Arguello DR	Tarrow ST	East	30"	2/20/1984
Arizona ST	Holleman DR	North	30"	3/24/1987
Arizona ST	Nevada ST	South	24"	3/8/1995
Armistead ST	Redmond DR	NE	24"	4/7/1987
Armistead ST	Redmond DR	SW	24"	3/12/1987
Arnold RD	Victoria AVE	East	30"	5/5/2000
Arnold ALLEY	Nottingham DR	West	18"	12/7/1998
Arnold ALLEY	Nottingham DR	East	18"	12/18/1998
Arrington RD	Greens Prairie	North	30"	11/4/1997
Arroyo CT N	Deacon DR	South	24"	3/12/1987
Arroyo CT N	Deacon DR	North	24"	3/12/1987
Ashburn AVE	Francis DR	North	30"	3/3/1986
Ashburn AVE	Francis DR	South	30"	3/3/1986
Ashburn AVE	Gilchrist AVE	South	24"	3/19/1987
Ashburn AVE	Lincoln AVE	North	24"	3/26/1987
Ashford DR	Southwest PKWY	North	30"	7/31/1998
Ashford W DR	Ashford DR	South	24"	2/21/2000
Associates AVE	Harvey RD	South	30"	6/21/2000
Aster DR	Nottingham DR	East	24"	3/3/1996
Aster DR	Nottingham DR	West	24"	3/3/1996
Athens DR	Dominik DR	North	30"	3/13/1987
Athens DR	University Oaks	South	24"	3/13/1987
Augsburg CT	Edelweiss AVE	East	24"	5/22/2000
Augsburg LN	Edelweiss AVE	West	24"	2/22/2000
Augusta CR	Champions BLVD	North	24"	8/29/1995
Augustine CT	Southwood DR	East	24"	1/1/1984
Aurora CT	Park Place	North	24"	3/31/1999
Austin AVE	Southwood DR	East	30"	1/1/1986
Austin AVE	Southwood DR	West	30"	4/10/1987
Austin AVE	Brothers BLVD	East	30"	9/15/1983
Austin AVE	Brothers BLVD	West	30"	3/6/1987
Austin AVE	Longmire DR	East	30"	9/5/1985
Austin AVE	Shenandoah DR	East	24"	4/9/1987
Austin AVE	Shenandoah DR	West	24"	4/9/1987
Austin AVE	Rio Grande BLVD	West	30"	4/7/1987
Autumn CIR	Tarrow ST	West	30"	4/12/1995
Autumn CIR	Spring Loop	East	24"	6/5/1995
Avenue AVE	Lincoln AVE	South	30"	3/5/1990
Avenue B	Lincoln AVE	South	30"	11/28/1990
Axis CT	Navarro DR	South	24"	11/9/1999
Axis CT	Navarro DR	North	24"	11/15/1999
Ayrshire ST	Guernsey ST	North	24"	8/10/1992
Ayrshire ST	Guernsey ST	South	24"	1/8/1990
Ayrshire ST	Old Jersey ST	North	24"	3/3/1986
Azalea CT	Cypress DR	East	24"	9/24/1992
Azalea CT	Cypress DR	West	24"	11/1/1993
Aztec CT	Deacon DR	North	24"	2/7/1990
Aztec ST	Deacon DR	North	24"	2/7/1990

Bahia DR	Ponderosa DR	North	30"	1/15/1992
Bahia DR	Rock Prairie RD	South	24"	9/9/1993
Balcones DR	Rio Grande BLVD	East	30"	3/5/1990
Balcones DR	Welsh AVE	West	24"	3/5/1990
Banks ST	Tarrow ST	East	24"	11/14/1993
Barron RD	S H 6 South	East	36"	10/12/1994
Barron RD	Wellborn RD	West	48"	9/5/1995
Barron Cut -Off	Wellborn RD	West	30"	9/5/1995
Barron Cut -Off	Barron RD	North	30"	9/5/1995
Barthelow DR	Brentwood DR	South	24"	6/16/1994
Bayou Woods DR	University Oaks	South	30"	3/5/1993
Bayou Woods DR	Munson AVE	West	30"	6/4/1994
Bayowood CT	Alexandria AVE	East	24"	7/18/2001
Baywood LN	Alexandria AVE	West	24"	7/18/2001
Bee Creek	Southwood DR	North	30"	4/8/1996
Bee Creek	Southwood DR	South	30"	4/8/1994
Bee Creek	Southwest PKWY	North	30"	5/20/1987
Bee Creek Park	Anderson ST	East 1	24"	3/15/1988
Bee Creek Park	Anderson ST	East 2	30"	3/15/1988
Bee Creek Park	Anderson ST	East 3	30"	3/15/1988
Bell ST	Welsh AVE	West	24"	12/2/1992
Benchmark	Nottingham DR	East	30"	7/24/1992
Benchmark	Victoria AVE	West	30"	2/26/1990
Bent Oak ST	Emerald Pkwy	West	24"	3/5/1994
Bent Tree DR	Sandstone DR	East	24"	10/21/1997
Berkeley ST	Dominik DR	South	30"	11/11/1992
Berkeley ST	Francis DR	North	30"	1/1/1994
Bermuda CT	Normand DR	West	30"	8/25/1993
Bernburg CT	Edelweiss AVE	East	24"	5/22/2000
Bernburg LN	Edelweiss AVE	West	24"	2/22/2000
Bernburg LN	Edelweiss AVE	East	24"	2/22/2000
Berry Creek	ST Andrews DR	West	24"	10/29/1998
Berry Creek	ST Andrews DR	East	24"	10/29/1998
Berry Creek	Spearman DR	North	24"	2/4/1999
Bird Pond RD	Rock Prairie RD	South	30"	7/8/1994
Birdie CT	Parkview	South	24"	10/17/1996
Birmingham RD	S H 6 South	East	30"	5/17/1988
Birmingham RD	Longmire DR	West	30"	11/19/2003
Birmingham RD	Longmire DR	East	30"	11/19/2003
Bloomfield LN	Woodcreek DR	North	24"	8/28/2000
Blue Jay CT	Cardinal LN	North	24"	10/21/1997
Bluestem DR	Treehouse TR	North	30"	3/6/1992
Bluestem DR	Ponderosa DR	South	30"	12/3/1993
Bluestem CR	Ponderosa DR	North	30"	1/17/1994
Bogey CT	Parkview	South	24"	10/17/1996
Bolero ST	Deacon DR	North	24"	7/14/1992
Bolero Ct	Deacon DR	South	24"	6/14/1989
Bolton AVE	Puryear DR	East	24"	4/4/1997
Bolton AVE	Walton DR	East	24"	4/15/1997
Bolton AVE	James Pkwy	West	24"	2/2/2001
Boswell ST	Langford ST	East	30"	10/24/1994

Bougainvillea ST	Schaffer	East	30"	4/8/2002
Bougainvillea ST	Schaffer	West	30"	4/8/2002
Boyett ST	University DR	South	30"	9/16/1996
Bradley RD	Rock Prairie RD	South	30"	5/20/1994
Branderburg LN	Graham RD	North	30"	5/15/2003
Brazoswood DR	Earl Rudder FRWY W	East	30"	1/6/1995
Brazoswood DR	Glenhaven DR	East	30"	2/13/1995
Brazoswood DR	Glenhaven DR	West	30"	2/13/1995
Brentwood DR	Dartmouth ST	East	30"	4/23/1993
Brentwood DR	Anderson ST	West	30"	7/15/1988
Bridle Gate DR	S H 6 South	East	30"	4/5/2000
Bridle Gate DR	Longmire DR	West	30"	8/9/2005
Brittain CT	Brothers BLVD	North	24"	9/16/1997
Brooks AVE	James Pkwy	West	24"	12/3/1989
Brooks AVE	Walton DR	East	24"	4/15/1997
Brookwater CR	Woodcreek DR	South	24"	8/25/2000
Brookwater CR	Woodcreek DR	South	24"	8/25/2000
Brothers BLVD	Longmire DR	East	30"	9/19/1994
Brothers BLVD	Longmire DR	West	30"	1/3/1994
Brothers BLVD	Texas AVE	East	30"	2/13/1994
Brothers BLVD	Deacon DR	South	30"	10/23/1993
Brothers BLVD	Deacon DR	North	30"	1/27/1994
Brothers BLVD	Ponderosa DR	South	30"	1/13/1993
Brussels DR	Victoria AVE	West	30"	5/5/2000
Bucknell CT	Cornell DR	East	24"	3/20/1993
Burt ST	Dexter DR	West	24"	9/18/1992
Buttercup CR	Rio Grande BLVD	West	30"	8/25/2003
Caddie CT	Parkview	South	24"	10/17/1996
Cain RD	Wellborn RD	East	30"	11/1/2002
Calico CT	Raintree DR	North	24"	9/26/1992
Callie CR	Ponderosa DR	North	24"	9/12/1991
Camellia CT	Cypress DR	East	24"	4/25/1991
Camellia CT	Cypress DR	West	24"	11/20/1993
Canterbury Dr	Westchester AVE	East	30"	10/28/1994
Canterbury Dr	Welsh AVE	West	30"	6/24/1992
Capistrano CT	Rio Grande BLVD	East	30"	8/25/2003
Cardinal LN	Longmire DR	East	30"	7/25/1995
Carmel PL	Rio Grande BLVD	East	30"	1/15/1991
Carmel CT	Rio Grande BLVD	West	30"	8/21/2003
Carol ST	Westover ST	West	24"	9/15/1994
Carol ST	Berkeley ST	East	24"	3/13/1994
Carol ST	Berkeley ST	West	24"	1/28/1992
Carolina ST	Holleman DR	North	30"	6/27/1990
Carolina ST	Nevada ST	South	24"	6/27/1995
Castlebrook DR	Nottingham DR	East	24"	6/24/1992
Castlebrook DR	Nottingham DR	West	24"	6/24/1992
Castlebrook DR	Regal Row	East	24"	6/24/1992
Castlebrook DR	Victoria AVE	West	30"	2/6/1990
Castlegate DR	Greens Prairie	South	36"	5/29/2001
Castlegate DR	Victoria AVE	West	30"	6/2/2003
Castlegate DR	Ravenstone LOOP	West	30"	11/12/2004

Castlegate DR	Kendal Green CR	East	30"	11/12/2004
Caterina LN	Edelweiss AVE	South	24"	2/21/2000
Caudill ST	Winding RD	North	30"	2/10/1995
Caudill ST	Haines DR	North	30"	1/20/1992
Caudill ST	Haines DR	South	30"	5/14/1995
Cecilia CT	Edelweiss AVE	South	24"	2/21/2000
Cecilia Loop	Edelweiss AVE	North	24"	2/21/2000
Cedar Run DR	Anderson ST	East	24"	7/30/1997
Celinda CR	Deacon DR	North	30"	12/11/1992
Celinda CR	Deacon DR	South	24"	2/28/1993
Central Park	Southwest PKWY	South	30"	3/27/1994
Central Park	Southwest PKWY	North	30"	3/18/1996
Central Park	Colgate DR	North	24"	3/27/1986
Chadwick LN	Woodcreek DR	North	24"	8/28/2000
Chalet CT	Welsh AVE	West	24"	7/23/1997
Champions BLVD	Pebble Creek Pkwy	West	30"	8/29/1995
Chantal CIR	Mortier DR	South	24"	2/22/2000
Chantal CIR	Mortier DR	South	24"	2/22/2000
Cherry ST	Nagle ST	East	24"	12/8/1994
Cherry ST	Nagle ST	West	30"	1/13/1997
Cherry ST	College Main	East	24"	11/28/1995
Cherry ST	College Main	West	24"	5/15/1994
Cherry ST	Boyett ST	West	30"	9/24/1995
Cherry ST	Second ST	East	30"	12/15/1993
Chesa Peake CT	Markham LN	South	24"	6/27/2002
Chimney Hill	Hearthstone CT	North	24"	10/20/1992
Chimney Hill	Hearthstone CT	South	24"	10/20/1992
Chippendale S	Emerald Pkwy	SE	24"	3/17/1987
Chippendale S	Emerald Pkwy	West	24"	3/17/1987
Christine LN	Wellborn RD	West	30"	4/30/1987
Christine LN	Welsh AVE	East	30"	9/29/1997
Church AVE	University DR	East	30"	4/28/1987
Church AVE	College Main	East	30"	3/10/1987
Church AVE	College Main	West	30"	1/1/1985
Church AVE	Wellborn RD	West	30"	1/22/1985
Churchill ST	Lincoln AVE	South	30"	3/26/1987
Cimarron CT	Deacon DR	South	24"	4/18/1994
City Hall	Francis DR	West	24"	8/12/1987
Clearwood CT	Appomattox DR	East	24"	3/3/1987
Clement CT	Anderson ST	East	24"	7/30/1991
Cloverdale C	Anderson ST	East	24"	7/30/1997
Coachlight CT	Nottingham DR	East	24"	4/14/1992
Coastal DR	Ponderosa DR	North	30"	4/6/1987
Coastal DR	Rock Prairie RD	South	30"	4/8/1987
Coeburn DR	Newport LN	East	30"	1/8/2003
Colgate CIR	Brentwood DR	North	24"	1/20/1985
Colgate CIR	Dartmouth ST	SE	30"	1/1/1985
Colgate CIR	Dartmouth ST	East	30"	4/4/1997
Colgate CIR	Brentwood DR	South	24"	3/27/1997
Colgate DR	Eastmark DR	East	24"	1/1/1985
Colgate DR	Dartmouth ST	West	30"	1/1/1985

Columbia CT	Cornell DR	West	30"	3/11/1987
Columbus ST	Tarrow ST	East	24"	4/20/1987
Concho PL	S Dexter DR	East	30"	8/5/2003
Concho PL	Welsh AVE	West	24"	5/1/1987
Concord CIR	Stonebrook DR	West	24"	1/12/1999
Cooner ST	Texas AVE	West	30"	4/22/1987
Coral Ridge E	ST Andrews DR	West	24"	10/29/1998
Coral Ridge W	ST Andrews DR	East	24"	10/29/1998
Cornell DR	Brentwood DR	North	30"	3/6/1987
Cornell DR	Brentwood DR	South	24"	3/6/1987
Cornell DR	Manuel DR	North	30"	11/2/2004
Cornell DR	Southwest PKWY	South	30"	3/10/1987
Coronado DR	Gail PL	North	24"	5/24/1993
Coronado DR	Gail PL	South	24"	5/24/1993
Cortez CT	Deacon DR	South	24"	2/7/1990
Cortez St	Deacon DR	South	24"	2/7/1990
Crepe Myrtle	Schaffer RD	East	30"	7/26/2001
Crepe Myrtle	Schaffer RD	West	30"	7/26/2001
Crest ST	Manuel DR	South	24"	1/6/1999
Crest ST	Richards ST	North	24"	1/7/1999
Crescent Pointe PKWY	Copperfield PKWY	East	30"	11/22/2005
Crescent Pointe PKWY	Copperfield PKWY	East	30"	11/22/2005
Crescent Pointe PKWY	Copperfield PKWY	West	30"	11/22/2005
Cross ST	S College AVE	East	30"	3/10/1987
Cross ST	Nagle ST	East	30"	5/16/1986
Cross ST	Nagle ST	West	30"	3/31/1987
Cross ST	Stasney ST	East	24"	4/13/1987
Cross ST	Stasney ST	West	24"	4/13/1987
Cross ST	Tauber ST	East	24"	4/21/1987
Cross ST	Tauber ST	West	24"	4/21/1987
Cross ST	College Main	East	30"	3/10/1987
Cross ST	College Main	West	30"	1/25/1985
Crosstimbers	Southwest PKWY	North	24"	4/14/1987
Culpepper DR	Cross ST	North	30"	3/11/1987
Culpepper DR	Cross ST	South	24"	3/11/1987
Culpepper DR	Inlow BLVD	North	24"	3/25/1997
Cumberland CT	Raintree DR	South	24"	1/1/1985
Cypress DR	Colgate DR	North	30"	5/6/1996
Cypress DR	Southwest PKWY	North	30"	1/1/1985
Cypress DR	Southwest PKWY	South	30"	1/1/1985
Dallis DR	Ponderosa DR	North	30"	4/6/1987
Dallis DR	Rock Prairie RD	South	24"	4/8/1987
Danville CT	Alexandria AVE	West	24"	7/18/2001
Danville LN	Alexandria AVE	East	24"	7/18/2001
Dartmouth DR	Krenek Tap RD	South	36"	5/29/2002
Deacon DR	Wellborn RD	West	48"	4/18/1988
Decatur DR	Southern Plantation	North	24"	1/1/1987
Decatur DR	Southern Plantation	South	24"	1/1/1987
Decatur DR	Barron RD	North	30"	6/27/1997
Detroit ST	Holleman DR	North	30"	3/24/1987
Detroit ST	Nevada ST	South	24"	6/23/1997

Dexter DR	Holleman DR	North	30"	3/24/1987
Dexter DR	Holleman DR	South	30"	2/29/1984
Dogwood ST	Inlow BLVD	North	24"	3/25/1987
Dogwood ST	Cross ST	South	24"	3/11/1987
Dominik DR	Texas AVE	West	30"	4/22/1987
Donnington DR	Greens Prairie	South	30"	8/17/2004
Double Eagle	Parkview	South	24"	10/17/1996
Dove TR	Barron RD	South	30"	7/25/1995
Dove TR	Cardinal LN	North	24"	10/21/1997
Dover DR	Westchester AVE	East	24"	10/28/1994
Dover DR	Welsh AVE	West	30"	10/28/1994
Dowling RD	Harvey Mitchell PKWY	NE	30"	1/1/1984
Driftwood DR	Emerald Pkwy	North	30"	3/17/1987
Drogo CT	Norham DR	East	30"	3/17/2005
Drogo CT	Norham DR	West	30"	3/17/2005
Durango ST	Deacon DR	South	24"	2/7/1990
Durango ST	Deacon DR	North	24"	2/7/1990
Durango CT	Deacon DR	North	24"	2/7/1990
Eagle AVE	E Bypass	East	30"	8/4/1995
Eagle AVE	Longmire DR	West	30"	8/4/1995
Eagle AVE	Longmire DR	East	30"	8/4/1995
Eagle AVE	Victoria AVE	East	30"	1/4/2006
Eagle AVE	Victoria AVE	West	30"	1/14/2006
Eastmark DR	Southwest PKWY	South	30"	5/15/1987
Edelweiss AVE	Welsh AVE	East	30"	8/22/1994
Edelweiss AVE	Rock Prairie RD	North	30"	9/22/1997
Edelweiss AVE	Rock Prairie RD	South	30"	9/22/1997
Edelweiss AVE	Mortier DR	East	30"	10/15/1998
Eisenhower ST	University DR	North	30"	4/28/1987
Eisenhower ST	University DR	South	30"	4/28/1987
Eisenhower ST	Ash ST	South	30"	3/5/1987
Eisenhower ST	Cooner ST	North	24"	3/10/1987
Eleanor ST	Montclair AVE	East	24"	8/24/1994
Essex Green DR	Stonebrook DR	East	24"	7/23/1987
Essex Green DR	Stonebrook DR	West	24"	7/23/1987
F & B Road	Harvey Mitchell	West	30"	1/1/1986
F & B Road	Harvey Mitchell	East	30"	1/1/1986
Falcon CR	Frost DR	East	30"	8/3/1985
Fairview AVE	George Bush Dr	North	30"	3/25/1987
Fairview AVE	Park Place	North	30"	5/28/1986
Fairview AVE	Park Place	South	30"	5/28/1986
Fairview AVE	Holleman DR	South	30"	3/24/1987
Faulkner DR	Fontaine DR	West	30"	7/26/1999
Faulkner DR	Fontaine DR	East	30"	7/26/1999
Fidelity ST	Maryem ST	East	24"	3/31/1987
Fidelity ST	Maryem ST	West	24"	3/31/1987
Fidelity ST	Wellborn RD	West	30"	1/4/1985
Fidelity ST	Montclair AVE	East	24"	3/31/1987
Fidelity ST	Montclair AVE	West	24"	3/31/1987
Fidelity ST	Fairview AVE	East	24"	7/20/1994
Fidelity ST	Highland ST	East	24"	6/9/1989

Fidelity ST	Highland ST	West	24"	6/9/1989
Finfeather RD	F & B Road	South	30"	3/18/1987
Firestone DR	Spearman DR	South	24"	8/29/1995
Firestone DR	Pebble Creek Pkwy	East	30"	8/29/1995
First ST	Church AVE	North	30"	3/10/1987
First ST	Church AVE	South	30"	3/10/1987
First ST	Louise AVE	North	24"	3/26/1987
First ST	Louise AVE	South	24"	3/26/1987
Fitzgerald CI	Frost DR	East	30"	4/15/1994
Fontaine DR	Foxfire DR	North	30"	4/4/1997
Fontaine DR	Faulkner DR	South	30"	7/26/1999
Fontaine DR	Faulkner DR	North	30"	7/26/1999
Forest DR	University DR	North	30"	1/2/1998
Foster AVE	Gilchrist AVE	North	30"	2/26/1986
Foster AVE	Gilchrist AVE	South	30"	2/26/1986
Foster AVE	Francis DR	North	30"	3/19/1987
Foster AVE	Francis DR	South	30"	3/19/1987
Foster AVE	George Bush East	South	30"	6/21/1997
Foster AVE	Walton DR	North	30"	4/30/1987
Foster AVE	Walton DR	South	30"	4/30/1987
Foster AVE	Lincoln AVE	North	30"	3/25/1987
Fox CR	Frost DR	West	30"	9/5/1995
Foxfire DR	Frost DR	East	30"	7/3/1995
Foxfire DR	Sebesta RD	West	30"	10/20/1995
Foxfire DR	Foxfire DR	West	24"	4/14/1998
Foxfire DR	Foxfire DR	North	30"	5/15/1998
Foxfire DR	Foxfire DR	East	24"	5/15/1998
Francis CR	Glenhaven DR	West	30"	1/7/1986
Francis DR	Glenhaven DR	East	30"	1/1/1986
Francis DR	Walton DR	East	30"	4/30/1987
Francis DR	Walton DR	West	30"	4/30/1987
Francis DR	Texas AVE	West	30"	4/22/1987
Fraternity Row	Wellborn RD	West	48"	6/11/1987
Fraternity Row	Deacon DR	North	30"	6/11/1987
Front Royal	Decatur DR	East	24"	7/27/1998
Front Royal	Decatur DR	West	24"	7/27/1998
Front Royal	Spring Creek	West	24"	11/16/1999
Front Royal	Hunter Creek DR	East	24"	5/1/2001
Frost DR	Bird Pond RD	East	30"	8/28/1997
Gail PL	Rio Grande BLVD	East	30"	5/24/1993
Gardenia	Schaffer RD	East	30"	4/8/2002
Gardenia	Schaffer RD	West	30"	4/8/2002
Garnet Will DR	Agate DR	South	24"	6/62002
Garnet Will DR	Sapphire DR	North	30"	9/4/2003
George Bush Dr	Fairview AVE	West	30"	3/13/1987
Georgia ST	Holleman DR	North	30"	3/24/1987
Georgia ST	Nevada ST	South	24"	6/23/1995
Gettysburg CT	Raintree DR	West	24"	3/3/1987
Gilchrist AVE	Walton DR	East	30"	4/30/1987
Gilchrist AVE	Walton DR	West	30"	4/30/1987
Gilchrist AVE	Texas AVE	West	30"	4/22/1987

Gilchrist AVE	Puryear DR	East	30"	2/28/1986
Gilchrist AVE	Munson AVE	East	24"	3/31/1987
Gilchrist AVE	James Pkwy	West	24"	3/25/1987
Glade ST	Anna ST	North	30"	3/5/1987
Glenna CT	Graham RD	South	30"	6/11/2002
Glenhaven DR	Dominik DR	South	30"	2/13/1995
Gold Finch CR	Eagle AVE	South	24"	8/4/1995
Goode ST	Glade ST	East	24"	3/20/1987
Goode ST	Pershing DR	West	24"	4/2/1987
Graham RD	S H 6 South	East	36"	4/9/1987
Graham RD	Wellborn RD	West	48"	4/6/1994
Gramma CT	Normand DR	West	30"	4/1/1987
Graz DR	Edelweiss AVE	East	24"	2/22/2000
Greenleaf DR	Sebesta RD	South	30"	9/7/1996
Greens Prairie RD	HWY 30	North	36"	11/1/2002
Greens Prairie RD	Rock Prairie RD	West	36"	5/17/2002
Greens Prairie RD	Rock Prairie RD	East	36"	1/1/1987
Greenwood DR	Bent Tree DR	East	24"	6/2/1994
Greenwood DR	Driftwood DR	West	24"	6/2/1994
Gridiron DR	Holleman DR W	North	30"	5/15/2002
Grove ST	Wellborn RD	West	30"	1/5/1984
Grove ST	Highland ST	East	24"	3/23/1987
Grove ST	Highland ST	West	24"	3/23/1987
Grove ST	Montclair AVE	East	24"	10/7/1998
Guadalupe DR	Langford ST	East	30"	5/6/1985
Guadalupe DR	Nueces DR	West	30"	4/1/1987
Guernsey ST	Fairview AVE	West	24"	3/18/1987
Guernsey ST	Welsh AVE	East	24"	9/9/1987
Guernsey ST	Welsh AVE	West	24"	9/9/1987
Gunsmith ST	Caudill ST	East	24"	4/14/1992
Haines DR	Glade ST	East	30"	3/20/1987
Haines DR	Dexter DR	West	30"	4/11/1985
Haley PL	Rio Grande BLVD	West	30"	3/10/1989
Hannover ST	Von Trapp LN	East	30'	5/23/2001
Hannover ST	Wellborn RD	West	36"	5/23/2001
Hardwood LN	Munson AVE	West	30"	3/31/1987
Hardwood LN	Bayou Woods DR	East	30"	10/20/1994
Hartford DR	Victoria DR	East	30"	3/14/2002
Hartford DR	Victoria DR	West	30"	3/14/2002
Hartford DR	Brandenburg LN	East	30"	5/15/2003
Hartford DR	Brandenburg LN	West	30"	5/15/2003
Harvest DR	Victoria DR	West	30"	3/14/2002
Harrington AVE	Walton DR	North	24"	4/30/1987
Harrington AVE	Francis DR	South	24"	3/18/1987
Harris DR	Rock Prairie RD	South	30"	2/11/1995
Hasselt ST	Victoria AVE	West	30"	4/4/1995
Hasselt ST	Nottingham DR	West	24"	4/4/1995
Hasselt ST	Nottingham DR	East	24"	4/4/1995
Hawk Owl Cove	Eagle AVE	North	24"	8/4/1995
Hawk Tree	Southwood DR	East	30"	4/10/1987
Hawk Tree	Southwood DR	West	30"	5/15/1984

Hawk Tree	Shenandoah DR	East	24"	4/9/1987
Hawk Tree	Shenandoah DR	West	24"	4/9/1987
Hawk Tree	Rio Grande BLVD	West	30"	4/7/1987
Hawk Tree	Brothers BLVD	East	30"	3/6/1987
Hawthorn ST	Thomas ST	North	30"	9/30/1996
Hearthstone CR	Tarrow ST	East	30"	4/20/1987
Hearthstone CR	Chimney Hill DR	East	30"	3/9/1987
Hearthstone CR	Chimney Hill DR	West	30"	3/9/1987
Henry CR	Treehouse TR	South	24"	4/24/1987
Hensel DR	Texas AVE	East	30"	1/1/1987
Hereford ST	Holleman DR	South	30"	3/20/1984
Hickory DR	Southwest PKWY	North	24"	4/15/1987
Highland ST	Park Place	North	30"	4/6/1992
Highland ST	Park Place	South	30"	4/6/1992
Highland ST	George Bush DR	North	30"	3/25/1987
Highland ST	Luther ST	South	24"	4/6/1992
Hillside DR	Brothers BLVD	East	24"	3/6/1987
Hillside DR	Airline DR	North	30"	9/3/1999
Hilltop DR	Airline DR	South	30"	8/11/1988
Hilltop DR	F M 2818	North	30"	8/11/1988
Hibiscus ST	Graham RD	South	30"	9/4/1996
Holik ST	George Bush Dr	North	30"	3/25/1987
Holik ST	Park Place	South	30"	2/21/1986
Holik DR	Holleman DR	North	30"	3/4/1987
Holik DR	Holleman DR	South	30"	3/4/1987
Holik DR	Anderson ST	East	24"	4/14/1999
Holleman DR	Earl Rudder FRWY	East	30"	1/1/1984
Holleman W DR	Harvey Mitchell PKWY	South	30"	4/21/1997
Holston Hills	ST Andrews DR	West	24"	4/12/2000
Holt ST	Munson AVE	West	30"	11/17/1997
Horse Haven LN	Earl Rudder FRWY E	West	30"	2/18/2002
Hondo DR	Southwest PKWY	North	30"	2/21/1986
Hondo DR	Nueces DR	South	24"	1/1/1987
Honeysuckle LN	Welsh AVE	West	30"	10/28/1994
Honeysuckle LN	Westchester AVE	East	24"	10/28/1994
Hunter Creek DR	Kernstown LN	North	24"	5/6/1997
Hunter Creek DR	Southern Plantation DR	South	24"	10/25/1990
Hunter Creek DR	Southern Plantation DR	North	30"	9/26/2005
Inlow BLVD	S College AVE	East	30"	3/10/1987
Inlow BLVD	Nagle ST	West	30"	3/31/1987
Innsbruck CIR	Edelweiss AVE	South	24"	2/21/2000
Innsbruck CIR	Edelweiss AVE	South	24"	2/21/2000
Ivy Cove	Welsh AVE	East	30"	8/22/1994
James Pkwy	Francis DR	North	30"	2/18/1986
James Pkwy	Francis DR	South	30"	3/18/1987
James Pkwy	Kyle AVE	South	24"	3/18/1987
Jane ST	University DR	South	30"	4/28/1987
Jane ST	Cooner ST	North	24"	3/10/1987
Jennifer DR	Deacon DR	North	30"	3/12/1987
Jennifer DR	Treehouse TR	North	24"	4/23/1987
Jennifer DR	Treehouse TR	South	24"	4/23/1987

Jennifer DR	Ponderosa DR	South	30"	4/6/1987
Jennifer CR	Deacon DR	South	30"	3/12/1987
Jones Butler	Holleman DR W	South	24"	3/24/1995
Jones Butler	Luther ST W	North	30"	8/25/1998
Karten LN	Brandenburg	East	30"	5/15/2003
Karten LN	Brandenburg	West	30"	5/15/2003
Kalanchoe CT	Cypress DR	East	24"	1/1/1985
Kalanchoe CT	Cypress DR	West	24"	1/1/1985
Kendal Green	Castlegate DR	East	30"	6/12/2001
Kernstown LN	Decatur DR	West	30"	7/17/1997
Kernstown LN	Stony Creek LN	West	24"	7/17/1997
Kernstown LN	Decatur DR	East	30"	10/22/1997
Kerry ST	Fairview AVE	East	24"	3/18/1987
Kerry ST	Fairview AVE	West	24"	3/18/1987
Kerry ST	Montclair AVE	West	24"	10/7/1998
Kerry ST	Ayrshire ST	East	24"	5/18/1999
Kerry ST	Ayrshire ST	West	24"	5/18/1999
King Arthur CR	Langford ST	East	24"	3/25/1987
Kingsmill CT	ST Andrews DR	East	30"	9/8/2003
Krenek Tap	Texas AVE	West	36"	4/21/1987
Krenek Tap	Earl Rudder FRWY	East	30"	1/1/1985
Kyle AVE	George Bush East	West	30"	3/25/1987
Lake Forest N CT	Woodcreek DR	South	24"	8/28/2000
Lake Forest S CT	Woodcreek DR	South	24"	8/28/2000
Lakeside CT	Woodcreek DR	North	24"	8/30/2000
Lakeway DR	Greens Prairie	North	30"	4/15/1991
Lancelot CR	Langford ST	East	24"	3/25/1987
Landsburg CT	Edelweiss AVE	East	24"	5/22/2000
Landsburg LN	Edelweiss AVE	West	24"	2/22/2000
Langford ST	Orr ST	North	30"	4/1/1987
Langford ST	Haines DR	North	30"	3/20/1987
Langford ST	Winding RD	North	24"	5/4/1987
Langford ST	Haines DR	South	30"	3/20/1987
Lansing CT	Dartmouth ST	East	30"	9/21/2003
Laredo CT	Rio Grande BLVD	East	24"	11/26/2000
Larkspur CR	Ponderosa DR	North	24"	4/2/1987
Lassie LN	Sterling DR	South	24"	4/13/1987
Lassie LN	Richards ST	North	24"	4/7/1987
Lassie LN	Richards ST	South	24"	4/7/1987
Lassie LN	Holleman DR	North	24"	3/24/1987
Laura LN	Southwest PKWY	North	30"	4/15/1987
Laura LN	Southwest PKWY	South	30"	1/1/1986
Laura LN	Bee Creek	South	24"	3/5/1987
Laura LN	Haines DR	North	30"	3/23/1987
Lavaca ST	Welsh AVE	West	24"	5/1/1987
Lawyer PL	Southwest PKWY	North	30"	4/15/1987
Lawyer ST	Southwest PKWY	South	30"	4/15/1987
Lawyer ST	Boswell ST	North	30"	3/5/1987
Lawyer ST	Boswell ST	South	30"	3/5/1987
Lawyer ST	Caudill ST	West	24"	3/10/1987
Leacrest DR	Glade ST	West	24"	9/26/1985

Lee AVE	George Bush Dr	North	30"	3/25/1987
Lee AVE	Park Place	North	30"	1/1/1986
Lee AVE	Park Place	South	30"	4/2/1987
Lee AVE	Timm DR	South	30"	2/22/1993
Legacy LN	Holleman W DR	East	24"	6/9/2005
Lemon Tree LN	Anderson ST	East	30"	3/4/1987
Leona DR	Llano	North	30"	8/4/2003
Leona DR	Southwest PKWY	North	30"	4/15/1987
Leona DR	Southwest PKWY	South	30"	4/15/1987
Leona DR	Nueces DR	South	24"	4/1/1987
Lincoln AVE	Texas AVE	West	30"	4/22/1987
Linda LN	Harvey RD	North	30"	3/23/1987
Live Oak	Texas AVE	West	30"	4/22/1987
Live Oak	Nimitz ST	East	24"	3/31/1987
Live Oak	Nimitz ST	West	24"	4/1/1987
Live Oak	Eisenhower ST	East	24"	6/14/1985
Live Oak	Eisenhower ST	West	24"	6/14/1985
Llano PL	S Dexter	East	30"	8/4/2003
Llano PL	Welsh AVE	West	24"	5/1/1987
Lodge ST	Church AVE	North	24"	3/9/1987
Lodgepole CR	Ponderosa DR	North	24"	4/6/1987
Lodgepole DR	Treehouse TR	North	24"	4/24/1987
Lodgepole DR	Ponderosa DR	South	24"	4/6/1987
Lochburry CT	Regal Oaks	East	30"	11/30/2001
Longleaf CR	Ponderosa DR	North	24"	4/6/1987
Longleaf Dr	Treehouse TR	North	24"	4/23/1987
Longleaf Dr	Ponderosa DR	South	24"	4/6/1987
Longmire DR	Barron RD	South	30"	7/25/1995
Longmire DR	Valley View DR	North	30"	4/28/1987
Longmire CT	Valle View DR	South	30"	4/28/1987
Lorikeet LN	Eagle AVE	North	24"	7/17/1997
Lorikeet LN	Eagle AVE	South	24"	7/18/1997
Lorikeet LN	Purple Martin CV	South	24"	7/18/1997
Louise AVE	Wellborn RD	West	30"	4/30/1987
Louise AVE	Boyett ST	East	24"	3/5/1987
Louise AVE	College Main	East	30"	7/25/1997
Louise AVE	Second ST	West	24"	1/19/1987
Luther ST	Fairview AVE	East	30"	2/20/1986
Luther ST	Fairview AVE	West	30"	2/20/1986
Luther ST	Welsh AVE	West	24"	5/1/1987
Luther ST	Welsh AVE	East	24"	5/1/1987
Luther ST	Wellborn RD	West	30"	9/9/1987
Luther ST W	Harvey Mitchell PKWY	West	30"	4/30/1987
Luther ST W	Marion Pugh	West	30"	1/1/1986
Luther ST W	Marion Pugh	East	30"	2/23/1987
Mac Arthur ST	University DR	South	30"	4/28/1987
Mac Arthur ST	Cooner ST	North	24"	3/10/1987
Madera CR	Nueces DR	West	24"	4/1/1987
Magnolia DR	Merry Oaks DR	East	24"	9/20/1999
Magnolia DR	Merry Oaks DR	East	24"	9/20/1999
Manuel DR	Texas AVE	West	30"	1/1/1985

Manzano CT	Deacon DR	South	24"	1/5/1999
Maple AVE	Wellborn RD	West	30"	4/30/1987
Maple AVE	First ST	East	30"	8/20/2004
Maple Wood CT	Appomattox DR	East	30"	12/12/1996
Marcy LN	Harvey RD	North	30"	1/1/1986
Marielene CIR	Mortier DR	South	24"	2/22/2000
Marielene CIR	Mortier DR	South	24"	2/22/2000
Marion Pugh	George Bush Dr	North	30"	1/1/1986
Marion Pugh	Dowling RD	South	30"	5/16/1996
Marion Pugh	Harvey Mitchell PKWY	North	30"	5/16/1996
Markham CT	Alexandria AVE	West	24"	7/18/2001
Markham LN	Alexandria AVE	East	24"	7/18/2001
Marsteller AVE	Francis DR	North	24"	3/19/1987
Marsteller AVE	Gilchrist AVE	South	24"	3/19/1987
Marta ST	Edelweiss AVE	East	30"	5/23/2001
Maryem ST	Park Place	North	24"	4/1/1987
Maryem ST	Park Place	South	24"	4/1/1987
Maryem ST	Luther ST	South	24"	9/10/1997
Maryem ST	Grove ST	North	30"	4/3/1997
Meadow View DR	Graham RD	North	30"	8/17/2003
Meadow View DR	Harvest DR	East	30"	8/18/2003
Meadow View DR	Harvest DR	West	30"	8/18/2003
Meadowbrook CT	Deacon DR	South	24"	8/22/1994
Meadowland ST	University DR	South	30"	3/9/1987
Meadowland ST	Hensel DR	North	24"	3/24/1987
Medina DR	Southwest PKWY	North	30"	4/15/1987
Medina DR	Southwest PKWY	South	30"	4/15/1987
Medina DR	Trigger ST	North	24"	4/24/1987
Medina DR	Trigger ST	South	24"	4/24/1987
Medina DR	Nueces DR	South	24"	4/1/1987
Merry Oaks DR	University Oaks	South	30"	4/28/1987
Merry Oaks DR	Dominik DR	North	30"	3/16/1987
Merry Oaks DR	Dominik DR	South	24"	3/6/1987
Merry Oaks DR	Carol ST	North	24"	3/6/1987
Merry Oaks DR	Carol ST	South	24"	3/9/1987
Merry Oaks DR	Francis DR	North	30"	3/19/1987
Mescalero CT	Deacon DR	South	24"	1/6/1999
Milam AVE	Inlow BLVD	North	24"	3/25/1987
Milam AVE	Cross ST	South	24"	3/11/1987
Mile DR	Texas AVE	West	30"	1/1/1985
Mile DR	Earl Rudder FRWY W	East	30"	10/29/1999
Mill Creek	Stonebrook DR	East	24"	7/23/1987
Milliff RD	Rosemary LN	West	30"	4/8/1987
Milliff RD	Texas AVE	East	30"	4/22/1987
Milner DR	Gilchrist AVE	North	24"	3/19/1987
Milner DR	Gilchrist AVE	South	24"	3/19/1987
Milner DR	Francis DR	North	24"	3/19/1987
Milner DR	Francis DR	South	24"	3/19/1987
Milner DR	Walton DR	North	24"	4/30/1987
Milner DR	Puryear DR	South	30"	4/7/1987
Montclair AVE	George Bush Dr	North	30"	3/25/1987

Montclair AVE	Luther ST	North	30"	1/1/1987
Montclair AVE	Luther ST	South	30"	1/1/1987
Montclair AVE	Park Place	North	24"	4/1/1987
Montclair AVE	Park Place	South	24"	4/1/1987
Morgans Ln.	Texas AVE	West	30"	4/21/1987
Mortier DR	Wellborn RD	West	36"	4/4/1995
Mortier DR	Victoria AVE	East	30"	8/22/1997
Moss ST	Foster AVE	East	24"	2/20/1985
Moss St	Texas AVE	West	30"	4/22/1987
Mossglenn C R	Anderson ST	East	24"	7/30/1997
Muirfield CT	Pebble Creek Pkwy	West	30"	8/29/1995
Muirfield Village	Pebble Creek Pkwy	East	30"	8/29/1995
Mullins CT	Alexandria AVE	East	24"	3/8/2001
Mullins Loop N	Alexandria AVE	West	30"	3/8/2001
Mullins Loop S	Alexandria AVE	West	24	6/7/2002
Munson AVE	Lincoln AVE	North	30"	3/26/1987
Mustang LN	Shire DR	South	24"	5/24/1993
Nantucket ST	S H 6 SOUTH	West	30"	10/23/2002
N Ridgefield	Langford ST	East	24"	3/25/1987
Navarro DR	Welsh AVE	East	30"	5/1/1987
Navarro DR	Welsh AVE	West	30"	1/1/1985
Navarro DR	Rio Grande BLVD	East	24"	4/7/1987
Navarro DR	Pedernales DR	East	24"	5/5/1995
Navarro DR	Pedernales DR	West	24"	3/31/1994
Navarro DR	Wellborn RD	West	48"	8/2/1999
Neal Pickett	Dominik DR	South	24"	3/16/1987
Neal Pickett	Carol ST	North	24"	3/9/1987
Neal Pickett	Carol ST	South	24"	3/9/1987
Neal Pickett	Francis DR	North	30"	3/19/1987
Nevada ST	Welsh AVE	East	30"	5/1/1987
Newport DR	Barron RD	South	30"	9/25/2002
Night Rain DR	Victoria AVE	West	30"	1/4/2006
Nimitz ST	Lincoln AVE	South	30"	3/25/1987
Nimitz ST	University DR	North	30"	4/28/1987
Nimitz ST	University DR	South	30"	4/28/1987
Nimitz ST	Ash ST	North	30"	3/5/1987
Nimitz ST	Ash ST	South	30"	3/5/1987
Nimitz ST	Cooner ST	North	24"	3/10/1987
Normand CR	Deacon DR	South	30"	3/12/1987
Normand DR	Deacon DR	North	30"	3/12/1987
Normand DR	Treehouse TR	North	24"	4/23/1987
Normand DR	Treehouse TR	South	30"	4/23/1987
Normand DR	Ponderosa DR	North	30"	4/6/1987
Normand DR	Ponderosa DR	South	30"	4/6/1987
Normand DR	Rock Prairie RD	South	30"	4/8/1987
North Bardell CT	Southwest PKWY	South	30"	12/14/2005
North Forest	Appomattox DR	West	30"	12/12/1996
NORTHGATE Parking	Boyett ST	West	30"	7/28/1998
NORTHGATE Parking	Church AVE	North	30"	7/28/1998
Nueces DR	Harvey Mitchell PKWY	South	30"	3/18/1987
Nueces DR	Welsh AVE	North	30"	1/1/1986

Nunn ST	Walton DR	South	24"	4/30/1987
Nunn ST	Lincoln AVE	North	24"	12/4/1985
Oakbrook CT	Deacon DR	South	24"	8/22/1994
Oakdale CR	Anderson ST	West	24"	7/30/1997
Oakhaven CR	Francis DR	North	24"	1/30/1990
Oakhaven CR	Francis DR	South	24"	1/30/1990
Oakwood TR	Sandstone DR	North	24"	12/13/2000
Old Jersey ST	Fairview AVE	West	30"	6/26/1987
Oldenburg CT	Brandenburg LN	West	30"	5/15/2003
Oldenburg LN	Brandenburg LN	East	30"	5/15/2003
Old Wellborn	Rock Prairie RD	North	30"	11/1/2002
Old Wellborn	Rock Prairie RD	South	30"	11/1/2002
Old Wellborn	Cain RD	North	30"	11/1/2002
Old Wellborn	Cain RD	South	30"	11/8/2002
Olympia Way	Dominik DR	North	24"	1/1/1986
Olympia Way	University Oaks	South	24"	7/20/1987
Oney Hervey	Holleman DR	North	30"	8/6/1985
Onyx DR	Stone Forest DR	East	30"	7/2/2001
Onyx DR	Stone Forest DR	West	30"	7/2/2001
Orchid ST	Schaffer RD	West	30"	4/8/2002
Orchid ST	Schaffer RD	East	30"	4/8/2002
Oriole CT	Cardinal LN	North	24"	10/21/1997
Orr ST	Winding RD	West	30"	3/9/1987
Orr ST	Glade ST	East	30"	5/25/1984
Oxburg DR	S H 6 SOUTH	East	30"	9/16/2003
Paintbrush CR	Rio Grande Blvd	West	30"	8/25/2003
Pamela LN	Harvey RD	North	30"	1/1/1984
Park Place	Texas AVE	East	30"	1/1/1986
Park Place	Anderson ST	East	30"	3/5/1987
Park Place	Anderson ST	West	30"	3/5/1987
Park Place	Glade ST	East	30"	9/23/1985
Park Place	Glade ST	West	30"	3/20/1987
Park Place	Timber ST	East	30"	4/23/1987
Park Place	Timber ST	West	30"	4/23/1987
Park Place	Dexter DR	East	30"	3/1/1985
Park Place	Dexter DR	West	30"	3/1/1985
Park Place	Highland ST	East	24"	3/23/1987
Park Place	Highland ST	West	24"	3/23/1987
Park Place	Wellborn RD	West	30"	4/30/1987
Park Place	Hereford ST	East	24"	7/14/1987
Park Place	Hereford ST	West	24"	7/14/1987
Parks DR	East Bypass	East	30"	9/22/1997
Parks DR	Krenek Tap	North	30"	9/20/1989
Parks DR Parking	Parks DR	South	30"	9/20/1989
Parkview	Lakeway DR	West	30"	10/17/1996
Parkview	Spearman DR	East	30"	10/17/1996
Parrot Cove	Cardinal LN	North	24"	10/21/1997
Pasler ST	Lincoln AVE	South	30"	3/26/1987
Patricia ST	Boyett ST	East	30"	3/5/1987
Patricia ST	Boyett ST	West	30"	3/5/1987
Pearce ST	Tarrow ST	East	24"	7/15/1987

Pebble Creek PKWY	Greens Prairie	North	30"	8/29/1995
Pecan Grove CT	Decatur DR	East	24"	10/21/1997
Pedernales DR	Val Verde DR	South	24"	8/17/1994
Pedernales DR	Balcones DR	North	24"	8/17/1994
Pershing DR	Park Place	North	30"	10/13/1995
Pershing DR	Park Place	South	30"	10/22/1995
Pershing DR	George Bush Dr	North	30"	1/10/1995
Pershing DR	Glade ST	East	24"	3/23/1987
Peyton St	Tarrow ST	East	30"	12/8/1995
Peyton St	CHappel ST	West	24"	11/8/1999
Pheasant LN	Navarro DR	South	24"	7/27/2000
Phoenix ST	Nevada ST	South	24"	6/30/1997
Pierre PL	Deacon DR	North	24"	8/25/1994
Pierre PL	Deacon DR	South	24"	3/31/1995
Pierre PL	Treehouse TR	North	24"	5/29/1994
Pierre PL	Treehouse TR	South	24"	10/6/1994
Pierre PL	Ponderosa DR	North	30"	1/15/1994
Pine Ridge DR	Anderson ST	West	24"	1/23/1994
Pine Ridge DR	Brentwood DR	East	24"	12/22/1994
Pine Valley DR	ST Andrews DR	West	30"	9/10/2003
Pinon DR	SH 6	East	30"	8/18/1994
Pinon DR	Longmire DR	West	30"	7/7/1997
Pintail LN	Navarro DR	South	24"	7/27/2000
Pintail LOOP	Navarro DR	North	24"	11/9/2000
Pintail LOOP	Navarro DR	North	24"	11/9/2000
Plano DR	Victoria DR	West	30"	3/14/2002
Pleasant Forest	Earl Rudder FRWY W	East	30"	10/14/1998
Plum Holow DR	ST Andrews DR	East	24"	4/12/2000
Plum Holow DR	ST Andrews DR	West	30"	9/10/2003
Plum Holow DR	ST Andrews DR	East	30"	9/10/2003
Ponderosa DR	Longmire DR	East	30"	3/5/1994
Ponderosa DR	Longmire DR	West	30"	12/18/1993
Ponderosa DR	SH 6	East	30"	12/13/1993
Ponderosa DR	Rio Grande BLVD	West	30"	9/27/1990
Poplar ST	Texas AVE	West	30"	1/28/1993
Poplar ST	Nimitz ST	East	24"	12/15/1993
Poplar ST	Nimitz ST	West	24"	5/22/1987
Poplar ST	Eisenhower ST	East	30"	10/8/1991
Poplar ST	Eisenhower ST	West	30"	10/23/1989
Potomac PL	Southwest PKWY	North	24"	5/28/1993
Preston ST	Tarrow ST	East	24"	8/24/1987
Prestwick CT	ST Andrews DR	East	30"	9/8/2003
Prestwick CT	ST Andrews DR	West	30"	9/8/2003
Pro CT	Parkview	South	24"	10/17/1996
Pronghorn LN	Navarro DR	South	24"	11/15/1999
Pronghorn LOOP	Navarro DR	North	24"	11/15/1999
Pronghorn LOOP	Navarro DR	North	24"	11/15/1999
Pueblo CT N	Deacon DR	South	24"	10/22/1993
Pueblo CT S	Deacon DR	North	24"	1/21/1994
Puffin Way	Eagle AVE	North	24"	8/4/1995
Purple Martin	Starling DR	South	24"	7/21/1997

Puryear DR	Dominik DR	South	30"	3/5/1995
Puryear DR	Francis DR	North	30"	3/21/1996
Puryear DR	Francis DR	South	30"	11/4/1996
Puryear DR	Kyle AVE	North	30"	1/7/1997
Puryear DR	Kyle AVE	South	30"	3/3/1997
Puryear DR	Walton	North	30"	10/25/1996
Quality CR	Lakeway DR	East	30"	10/25/2002
Ravenstone LOOP	Castlegate DR	West	30"	6/12/2001
Ravenstone LOOP	Ravenstone LOOP	North	30"	6/12/2001
Rayado CT N	Deacon DR	South	24"	8/11/1988
Rayado CT S	Deacon DR	North	24"	4/16/1997
Rayburn CT	Angelina CR	North	24"	4/16/1997
Reatta LN	Barron RD	North	30"	7/15/2004
Recreation DR	Parks DR	East	30"	9/20/1989
Redmond DR	George Bush Dr	North	30"	4/16/1997
Redmond DR	Rosemary LN	North	30"	4/16/1997
Redmond DR	Texas AVE	SE	30"	4/16/1997
Redwood ST	Emerald Pkwy	North	24"	4/24/1997
Regal Oaks DR	Greens Prairie RD	South	30"	11/30/2001
Regensburg LN	Edelweiss AVE	West	24"	2/21/2000
Renee LN	Barron RD	North	30"	8/17/1998
Rescue CT	Normand DR	West	24"	4/24/1997
Rhett Butler	Hardwood LN	North	30"	4/18/1997
Rhett Butler	Hardwood LN	South	30"	4/25/1997
Rhett Butler	University Oaks	North	30"	4/25/1997
Rhett Butler	University Oaks	South	30"	4/25/1997
Rhett Butler	Harvey RD	South	30"	4/25/1997
Richards ST	Texas AVE	West	30"	4/25/1997
Richland CT N	Decatur DR	West	30"	10/21/1997
Richland CT S	Decatur DR	East	30"	10/21/1997
Rio Bravo CT	Rio Grande BLVD	West	30"	8/21/2003
Rio Grande BLVD	Rock Prairie RD	South	30"	4/25/1997
Rockcliffe LOOP	Ravenstone LOOP	South	30"	6/12/2001
Rockingham LOOP	Castlegate DR	South	30"	12/3/2001
Rockingham LOOP	Rockingham LOOP	East	30"	12/3/2001
Rockingham LOOP	Rockingham LOOP	West	30"	12/3/2001
Rock Prairie W RD	Old Wellborn RD	East	30"	11/1/2002
Rock Prairie RD	Greens Prairie RD	East	36"	10/1/2004
Rock Prairie RD	Greens Prairie RD	West	36"	10/1/2004
Rose CR	Munson AVE	West	24"	5/1/1997
Rose CR	Munson AVE	West	24"	5/1/1997
Rosemary LN	George Bush Dr	North	30"	4/22/1994
Rosewood DR	Emerald Pkwy	South	24"	9/24/1995
Roblemont DR	Victoria AVE	East	30"	1/4/2006
Robin Trail	Cardinal LN	North	24"	10/21/1997
Royal Adelade	Pebble Creek Pkwy	East	30"	11/20/1996
Royal Adelade	Pebble Creek Pkwy	West	30"	11/20/1996
Royal Adelade	ST Andrews DR	West	30"	6/4/1998
Royal Adelade	ST Andrews DR	East	30"	6/4/1998
Royal Adelade	Spearman DR	North	30"	5/21/1998
S Dexter ST	Southwest PKWY	South	30"	12/10/1994

S Ridgefield	Langford ST	East	24"	9/4/1994
Sabine Ct	Southwest PKWY	North	30"	7/14/1987
San Benito DR	Pedernales DR	West	24"	3/31/1995
San Benito DR	Pedernales DR	East	24"	8/31/1994
San Benito DR	Welsh AVE	East	24"	11/7/1995
San Benito DR	Welsh AVE	West	24"	9/1/1988
San Benito DR	Rio Grande BLVD	East	24"	3/9/1995
San Felipe DR	Deacon DR	South	24"	10/28/1994
San Felipe DR	Haley PL	North	24"	7/29/1998
San Mario CT	Welsh AVE	West	24"	9/16/1994
San Mario CT	Welsh AVE	East	24"	7/10/1994
San Pedro DR	Welsh AVE	East	24"	10/27/1994
San Pedro DR	Welsh AVE	West	24"	10/23/1995
San Saba CR	Rio Grande BLVD	West	30"	11/14/1994
San Saba CT	Welsh AVE	East	30"	4/15/1991
San Saba DR	Rio Grande BLVD	East	30"	1/8/1994
San Saba DR	Welsh AVE	West	30"	4/15/1991
San Saba DR	Pedernales DR	East	30"	6/15/1988
San Saba DR	Pedernales DR	West	30"	6/15/1988
Sandelwood Ct	Appomattox DR	East	24"	1/9/1994
Sandstone DR	Emerald Pkwy	North	30"	9/12/1995
Sandstone Park	Sebesta RD	North	24"	2/26/1993
Sandstone Park	Sebesta RD	North	24"	2/26/1993
Sandy CR	Deacon DR	South	24"	8/14/1994
Santa Rita CT	Rio Grande BLVD	West	30"	8/21/2003
Sara Dr	Longmire DR	West	30"	7/7/1997
Sara Dr	E Bypass	East	30"	7/16/1997
Sara LN	Harvey RD	North	30"	5/8/1996
Savannah Ct	Raintree DR	North	24"	9/23/1995
Savine CT	Southwest PKWY	North	30"	9/8/1995
Scarlet O' Hara DR	University Oaks	North	30"	2/5/1995
Scarlet O' Hara DR	Harvey RD	South	30"	3/13/1995
Schaffer RD	Graham RD	South	30"	7/25/2001
Sebesta RD	E Bypass	West	30"	1/1/1986
Sebesta RD	E Bypass	West	30"	10/23/1995
Sebesta RD	Sandstone DR	East	30"	10/5/1995
Second ST	Church AVE	South	24"	11/20/1996
Shadowcrest DR	Woodcreek DR	South	24"	12/8/1995
Shadowoaks	Appomattox DR	East	30"	12/12/1996
Shadowoaks	Spring Creek	South	24"	6/30/1994
Shadowwood DR	Lawyer ST	East	24"	8/20/1995
Shadowwood DR	Southwest PKWY	North	30"	2/17/1995
Sherman DR	Raintree DR	South	24"	7/16/1995
Shetland ST	Lee AVE	West	24"	10/1/1997
Shiloh CT	Raintree DR	North	24"	9/23/1995
Shire DR	Victoria AVE	East	24"	8/22/1994
Shire DR	Rock Prairie R	D North	30"	9/22/1997
Shoal Creek DR	ST Andrews DR	East	24"	1/15/1996
Shoal Creek DR	ST Andrews DR	South	24"	8/30/1995
Sienna DR	Holleman DR W	South	24"	3/24/1995
Slice CT	Parkview	South	24"	9/17/1996

Socorro CT	Deacon DR	South	24"	1/6/1999
Song Sparrow	Hawk Owl Cove	East	24"	10/21/1997
Sonoma CR	Rio Grande BLVD	East	30"	8/26/2003
Southern Plantation DR	S H 6 South	East	30"	2/5/1995
Southern Trace DR	Wellborn RD	West	36"	12/14/2005
Southland ST	Wellborn RD	West	30"	2/10/1994
Southwest PKWY	Holleman DR W	East	30"	3/24/1995
Southwood Athletic Park	Rock Prairie RD	North W	24"	7/3/1997
Southwood Athletic Park	Rock Prairie RD	North E	24"	7/3/1997
Southwood Athletic Park	Exit teen Center	South	24"	5/7/2000
Southwood Athletic Park	Exit teen Center	East	24"	5/7/2000
Southwood Athletic Park	Exit teen Center	West	24"	5/7/2000
Spanish Bay CT	Mission Hills DR	North	30"	6/9/2003
Spanish Bay CT	Mission Hills DR	South	30"	6/9/2003
Spanish Bay CT	Royal Adelade Dr	North	30"	6/9/2003
Spearman DR	Pebble Creek Pkwy	East	30"	8/29/1995
Spicewood CT	Appomattox DR	East	24"	11/27/1995
Spring Brook	Barron RD	South	30"	7/18/1997
Spring Creek	Appomattox DR	East	24"	6/30/1994
Spring Creek	North Forest PKWY	North	24"	12/12/1996
Spring Field DR	Harvest DR	East	30"	8/17/2003
Spring Field DR	Harvest DR	West	30"	8/17/2003
Springmist DR	Barron RD	South	30"	8/26/2002
Spruce ST	College Main	East	30"	10/24/1995
Spruce ST	Boyett ST	West	24"	10/15/1995
Spruce ST	Boyett ST	East	24"	10/9/1994
Spruce ST	First ST	West	30"	8/20/2004
ST Andrews DR	Spearman DR	North	24"	8/30/1995
ST Andrews DR	Spearman DR	South	24"	8/30/1995
ST Andrews DR	Spearman DR	North	24"	7/29/1997
ST Andrews DR	Congressional	CT	30"	9/8/2003
Stallings DR	Dominik DR	North	30"	10/23/1994
Stallings DR	University Oaks	South	30"	2/10/1995
Stallings DR	University Oaks	North	30"	1/15/1994
Stallings DR	Harvey RD	South	30"	2/13/1995
Starling DR	Longmire DR	East	30"	7/25/1995
Starling DR	Purple Martin CV	West	24"	7/18/1997
Stasney ST	University DR	South	30"	1/27/1995
Stasney ST	Church AVE	North	30"	10/9/1995
Stasney ST	Church AVE	South	30"	8/14/1995
Stasney ST	Cherry ST	North	24"	12/8/1995
Sterling DR	Texas AVE	West	30"	3/19/1995
Stone Forest	Greens Prairie	North	30"	6/21/2001
Stone Forest	Sapphire DR	South	24"	7/2/2001
Stonebriar CT	CHampions BLVD	South	24"	8/29/1995
Stonebriar CT	Stonebriar CT	West	24"	8/30/1995
Stonebridge CT	Stonebrook DR	West	30"	1/27/2000
Stonebridge D R	Woodcreek DR	North	24"	3/17/1995
Stonebridge D R	Stonebrook DR	East	30"	2/18/1995
Stonebrook DR	Rock Prairie RD	South	30"	11/23/1994
Stonebrook DR	Woodcreek DR	North	24"	7/21/1997

Stonebrook DR	Woodcreek DR	South	24"	7/21/1997
Stonewall Ct	Raintree DR	North	24"	1/13/1995
Stony Creek LN	Southern Plantation	South	24"	11/16/1999
Strasburg CT	Kernstown LN	South	24"	5/6/1997
Strasburg CT	Kernstown LN	South	24"	5/6/1997
Stuttgart CIR	Edelweiss AVE	East	24"	2/22/2000
Suffolk AVE	Burt ST	North	24"	9/26/1995
Suffolk AVE	Burt ST	South	24"	9/18/1995
Suffolk AVE	Park Place	North	24"	1/19/1995
Suffolk AVE	Park Place	South	24"	9/13/1995
Summerglen DR	University DR	North	30"	8/17/1995
Summerglen DR	Glenhaven DR	East	30"	8/14/1995
Summit ST	Hilltop DR	East	24"	12/12/1995
Summit ST	Southwood DR	West	24"	11/15/1995
Sun Meadow CT	Schaffer RD	West	30"	7/26/2001
Sun Meadow ST	Schaffer RD	East	30"	7/26/2001
Sunflower TR	Edelweiss AVE	South	24"	8/22/1994
Sunflower TR	Welsh AVE	East	30"	8/22/1994
Sussex DR	Stonebrook DR	East	24"	1/19/1995
Sussex DR	Stonebrook DR	West	24"	1/19/1995
Swiss CIR	Welsh AVE	West	24"	5/17/1988
Sycamore Hills DR	Congressional DR	South	30"	10/13/2004
Sycamore Hills DR	Congressional DR	North	30"	10/13/2004
Tara CT	University Oaks	South	24"	7/7/1997
Tarrow ST	Lincoln AVE	South	30"	5/15/1997
Tauber ST	Church AVE	North	30"	5/15/1997
Tauber ST	Church AVE	South	30"	5/15/1997
Tauber ST	Cherry ST	North	30"	5/15/1997
Taurus AVE	Haines DR	South	24"	4/9/1997
Taurus AVE	Haines DR	South	24"	5/15/1997
Taurus AVE	Holleman DR	North	30"	5/15/1997
Teakwood Ct	Appomattox DR	West	24"	5/15/1997
Teal DR	Dartmouth ST	West	30"	9/28/1998
Technology PKWY	SH 6 South	West	30"	9/1/1999
Technology Way	Lakeway DR	West	30"	12/18/2000
Thomas ST	Dexter DR	West	30"	9/24/1995
Thomas ST	Dexter DR	East	30"	9/24/1995
Thomas ST	Pershing DR	East	24"	7/5/1996
Thomas ST	Hereford ST	West	24"	7/5/1996
Thompson ST	Fairview AVE	East	24"	9/24/1995
Thompson ST	Fairview AVE	West	24"	9/24/1995
Thompson ST	Eleanor ST	West	24"	9/24/1995
Tiffany TR	Southern Plantation	North	24"	9/24/1995
Tiffany TR	Southern Plantation	South	24"	9/24/1995
Timber ST	Timm DR	North	30"	3/19/1998
Timber Knoll	Shadowcrest DR	South	24"	7/21/1998
Timber Knoll	Shadowcrest DR	North	24"	3/16/1995
Timber Knoll	Stonebrook DR	East	24"	1/12/1999
Timm DR	Glade ST	East	24"	3/16/1995
Timm DR	Glade ST	West	24"	3/16/1995
Timm DR	Pershing DR	West	24"	8/14/1990

Todd Trail	Southwood DR	East	30"	3/16/1995
Todd Trail	Southwood DR	West	30"	3/16/1995
Todd Trail	Brothers BLVD	East	30"	3/16/1995
Todd Trail	Brothers BLVD	West	30"	3/16/1995
Todd Trail	Longmire DR	East	30"	3/16/1995
Todd Trail	Shenandoah DR	East	30"	3/16/1995
Todd Trail	Shenandoah DR	West	30"	3/16/1995
Todd Trail	Rio Grande BLVD	West	30"	4/15/1991
Tonkaway Lake RD	Greens Prairie	East	36"	11/1/2002
Tonkaway Lake RD	Greens Prairie	West	36"	11/1/2002
Town Place	Welsh AVE	West	24"	8/9/2000
Trace Meadows	Navarro DR	South	24"	11/9/1999
Trace Meadows	Navarro DR	North	24"	11/15/1999
Treehouse TR	Brothers BLVD	West	30"	4/15/1991
Treehouse TR	Longmire DR	East	30"	4/15/1991
Treehouse TR	Longmire DR	West	30"	4/15/1991
Treehouse TR	East Bypass	East	30"	7/16/1997
Trigger ST	Gunsmith ST	East	24"	5/22/1995
Trinity PL	Southwest PKWY	South	30"	5/22/1995
University Oaks	George Bush East	West	30"	5/22/1995
University Oaks	Earl Rudder FRWY W	East	30"	6/2/1987
U S C entrance	Graham RD	South	30"	2/2/1997
USC	USC RD	East	24"	5/3/2001
USC	USC RD	East	24"	5/3/2001
Val Verde DR	Rio Grande BLVD	East	24"	5/14/1990
Valley View DR	Texas AVE	East	30"	5/14/1990
Valley View DR	Southwood DR	North	30"	5/14/1990
Van Horn Dr	Rio Grande BLVD	West	24"	5/14/1990
Van Horn Dr	San Felipe DR	East	24"	10/28/1994
Vassar CT	Tarrow ST	West	24"	5/14/1990
Venture DR	SH 6 South	West	30"	1/15/1996
Venture DR	Lakeway DR	East	30"	12/8/1997
Veterans Park	Harvey RD	South	30"	9/3/2002
Victoria AVE	Barron RD	North	30"	7/15/2004
Village DR	Anderson ST	West	30"	5/14/1990
Village DR	Glade ST	East	30"	5/14/1990
Village DR	Glade ST	West	30"	5/14/1990
Village DR	Pershing DR	West	24"	8/15/1990
Village DR	Holleman DR	South	30"	5/21/1990
Von Trapp LN	Marta ST	South	30"	5/24/2001
Von Trapp LN	Sophia LN	North	30"	5/24/2001
W Dexter DR	Dexter DR	East	30"	8/15/1990
W king Cole DR	Texas AVE	West	30"	7/24/1997
W king Cole DR	Krenek Tap	North	30"	4/25/1990
Walnut Grove	Appomattox DR	West	30"	12/12/1996
Waterford DR	Woodcreek DR	South	24"	7/24/1997
Wellelsley CT	Tarrow ST	West	24"	8/15/1990
Welsh AVE	Thompson ST	South	30"	8/15/1990
Welsh AVE	Thompson ST	North	24"	4/15/1991
Welsh AVE	Kerry ST	North	24"	4/15/1991
Welsh AVE	Kerry ST	South	24"	4/15/1991

Welsh AVE	Guernsey ST	North	24"	4/15/1991
Welsh AVE	Guernsey ST	South	24"	4/15/1991
Welsh AVE	Park Place	North	24"	7/18/1991
Welsh AVE	Park Place	South	24"	7/18/1991
Welsh AVE	Angus ST	North	24"	3/18/1987
West Ridge DR	Welsh AVE	West	24"	1/17/1990
Westchester AVE	Welsh AVE	West	30"	6/24/1992
Westchester AVE	Rock Prairie RD	South	30"	3/6/1989
Westfield DR	Graham RD	North	24"	2/2/2001
Westover ST	Dominik DR	South	24"	6/24/1992
Westover ST	Francis DR	North	30"	6/24/1992
Whiterose	Spring Creek	South	24"	6/30/1994
Whitney CT	Woodcreek DR	South	24"	8/28/2000
Whitney LN	Woodcreek DR	North	24"	8/28/2000
Wilderness DR	Raintree DR	South	24"	6/5/1990
Wilderness DR	Raintree DR	South	24"	6/5/1990
Wildewood	Spring Creek	South	24"	6/30/1994
Wildewood	Spring Creek	West	24"	6/30/1994
Wildrye DR	Ponderosa DR	North	30"	6/5/1990
Wildrye DR	Rock Prairie RD	North	24"	6/5/1990
Williams ST	Francis DR	North	30"	6/5/1990
Williams Creek DR	Greens Prairie RD	West	30"	8/24/2005
Willow Loop	Welsh AVE	West	30"	4/5/1991
Willow Loop	Welsh AVE	West	30"	4/5/1991
Willow Pond ST	Schaffer RD	East	30"	7/26/2001
Willow Pond CT	Schaffer RD	West	30"	7/26/2001
Windfree DR	Kernstown LN	South	24"	5/6/1997
Windfree DR	Kernstown LN	North	24"	5/6/1997
Windfree DR	Southern Plantation	South	24"	4/5/1991
Windfree DR	Southern Plantation	North	24"	4/5/1991
Winding RD	Holleman DR	North	30"	4/5/1991
Winding RD	Holleman DR	South	30"	4/15/1991
Winding RD	Dexter DR	NW	24"	4/5/1990
Winding RD	Dexter DR	SE	24"	4/5/1990
Windrift CV	S H 6 South	East	30"	10/16/2001
Windswept DR	Southern Plantation	North	24"	4/5/1990
Windswept DR	Southern Plantation	South	24"	4/5/1990
Windswept DR	Tiffany TR	West	24"	7/21/1997
Windwood DR	Appomattox DR	West	24"	9/21/1989
Winecup CR	Rio Grande BLVD	West	30"	8/25/2003
Winged Foot DR	ST Andrews DR	West	30"	8/30/1995
Winged Foot DR	Pebble Creek Pkwy	East	30"	8/29/1995
Winter Park	Autumn CIR	South	24"	3/8/1994
Windmeadows DR	Victoria AVE	West	30"	1/14/2006
Wolf Run DR	Anderson ST	NW	24"	9/21/1989
Wolf Run DR	Anderson ST	SW	24"	9/21/1989
Woodcliff Ct	Appomattox DR	West	24"	9/21/1989
Woodcreek DR	Earl Rudder FRWY E	West	30"	9/21/1989
Woodhaven CR	Francis DR	North	24"	10/27/1987
Woodhaven CR	Francis DR	South	24"	10/27/1987
Woodland PKWY	Munson AVE	NE	30"	11/17/1997

Woodland PKWY	Munson AVE	NE	30"	11/17/1997
Woodland Hills BLVD	Greens Prairie RD	South	30"	1/24/2001
Woodland Hills BLVD	Woodland Springs DR	North	30"	5/19/2003
Woodsman DR	Jones Butler RD	East	30"	8/25/1998
Woodsman Alley	Jones Butler RD	East	30"	8/25/1998
Woodsman Alley	Jones Butler RD	East	30"	8/25/1998
Woodway DR	Woodsman DR	North	24"	4/21/1997
Woodway DR	Woodsman DR	East	24"	9/21/1989
Woodway DR	Holleman DR W	East	24"	3/24/1995
Yale CT	Cornell DR	East	30"	9/21/1989
Yellowhose CR	Nueces DR	South	24"	9/21/1989
Yorkshire DR	Victoria AVE	West	24"	4/15/1991
Yorkshire DR	Nottingham DR	East	24"	6/24/1992
Yorktown CT	Raintree DR	North	24"	6/21/1989

March 9, 2006
Consent Agenda
Pipeline Crossing Agreement for West Park Rehabilitation Project

To: **Glenn Brown, Interim City Manager**

From: **Charles McLemore, Acting Director of Public Works**

Agenda Caption: **Presentation, possible action, and discussion to approve a Pipeline Crossing Permit Agreement for the West Park Rehabilitation Project with the Union Pacific Railroad Company.**

Recommendation(s): **Staff recommends approval of the Pipeline Crossing Permit Agreement with the Union Pacific Railroad Company.**

Summary: **This item is for the approval of a Pipeline Crossing Permit Agreement in order to replace existing sewer line under Wellborn Road and the Union Pacific railroad tracks. The permit is required to bore under the railroad bed and install the sewer line. This work will be done as part of Contract #06-060 with Young Contractors. This contract was approved by Council on February 9, 2006 on Consent Agenda, Item 12.2**

Budget & Financial Summary: **There is a $1,500.00 License Fee associated with the agreement. Funds are budgeted and available from the Wastewater Utility Fund. This work will be done as part of the construction contract awarded to Young Contractors, in the amount of $3,544,008.30, for infrastructure rehabilitation in the West Park area.**

Attachments:

1. **Pipeline Crossing Agreement**
2. **Location Map**

PL X 940206
Form Approved, AVP-Law

Folder No. 2352-26

PIPELINE CROSSING AGREEMENT

Mile Post: 72.23, Navasota Subdivision
Location: College Station, Brazos County, Texas

THIS AGREEMENT is made and entered into as of October 12, 2005, by and between **UNION PACIFIC RAILROAD COMPANY**, a Delaware corporation, (hereinafter the "Licensor") and **CITY OF COLLEGE STATION**, a Texas municipal corporation to be addressed at 2613 Texas Ave., College Station, Texas 77842 (hereinafter the "Licensee").

IT IS MUTUALLY AGREED BY AND BETWEEN THE PARTIES HERETO AS FOLLOWS:

Article I. LICENSE FEE

Upon execution of this Agreement, the Licensee shall pay to the Licensor a one-time License Fee of **One Thousand Five Hundred Dollars ($1,500.00)**.

Article II. LICENSOR GRANTS RIGHT.

In consideration of the License Fee to be paid by the Licensee and in further consideration of the covenants and agreements herein contained to be by the Licensee kept, observed and performed, the Licensor hereby grants to the Licensee the right to construct and thereafter, during the term hereof, to maintain and operate only a

8.4" sanitary sewer water pipeline crossing (hereinafter the "Pipeline")

in the location shown and in conformity with the dimensions and specifications indicated on the attached print dated October 12, 2005, marked Exhibit A. Under no circumstances shall Licensee modify the use of the Pipeline for a purpose other than the above-mentioned, and said Pipeline shall not be used for any other use, whether such use is currently technologically possible, or whether such use may come into existence during the life of this Agreement.

Article III. CONSTRUCTION, MAINTENANCE AND OPERATION.

The grant of right herein made to the Licensee is subject to each and all of the terms, provisions, conditions, limitations and covenants set forth herein and in Exhibit B, hereto attached.

Article IV. IF WORK IS TO BE PERFORMED BY CONTRACTOR.

If a contractor is to do any of the work performed on the Pipeline (including initial construction and subsequent relocation or substantial maintenance and repair work), then the Licensee shall require its contractor to execute the Railroad's form Contractor's Right of Entry Agreement. Licensee acknowledges receipt of a copy of the Contractor's Right of Entry Agreement and understanding of its terms, provisions,

and requirements, and will inform its contractor of the need to execute the Agreement. Under no circumstances will Licensee's contractor be allowed onto Licensor's premises without first executing the Contractor's Right of Entry Agreement.

Article V. INSURANCE

The Licensee is a public entity subject to the TEXAS TORT CLAIMS ACT TEX.CIV. PRAC. & REM. Code 101.001 (Vernon 1997 and Vernon Supp. 2003) and by entering into this Agreement expressly does not agree to and does not waive its governmental immunity. However, the Licensee agrees to self-insure any limits of its statutory liability of up to a maximum of $500,000.00, if any, subject to the TEXAS TORT CLAIMS ACT. Licensor expressly consents to Licensee's self-insurance of said limits of liability.

Article VI. TERM.

This Agreement shall take effect as of the date first herein written and shall continue in full force and effect until terminated as herein provided.

Article VII. SPECIAL PROVISIONS

Sections 7(a); 7(b) and 13(b) of the Exhibit B attached hereto and made a part hereof is hereby amended to read as follows:

PROTECTION OF FIBER OPTIC CABLE SYSTEMS.

7 (a) Fiber optic cable systems may be buried on the Licensor's property. Protection of the fiber optic cable systems is of extreme importance since any break could disrupt service to users resulting in business interruption and loss of revenue and profits. Licensee shall telephone the Licensor at 1-800-336-9193 (a 24-hour number) to determine if fiber optic cable is buried anywhere on the Licensor's premises to be used by the Licensee. If it is, Licensee will telephone the telecommunications company(ies) involved, arrange for a cable locator, make arrangements for relocation or other protection of the fiber optic cable, all at Licensees expense, and will commence no work on the right of way until all such protection or relocation has been accomplished. Licensee shall indemnify and hold the Licensor harmless, to the extent allowed by Texas law, from and against all costs, liability and expense whatsoever (including, without limitation, attorneys' fees, court costs and expenses) arising out of or caused in any way by Licensee's failure to comply with the provisions of this paragraph.

(b) In addition to other indemnity provisions in this Agreement, the Licensee shall indemnify and hold the Licensor harmless,to the extent allowed by Texas law, from and against all costs, liability and expense whatsoever (including, without limitation, attorneys' fees, court costs and expenses) caused by the negligence of the Licensee, its contractor, agents and/or employees, resulting in (1) any damage to or destruction of any telecommunications system on Licensor's property, and/or (2) any injury to or death of any person employed by or on behalf of any telecommunications company, and/or its contractor, agents and/or employees, on Licensor's property, except if such costs, liability or expenses are caused solely by the direct active negligence of the Licensor. Licensee further agrees that it shall not have or seek recourse against Licensor for any claim or cause of action for alleged loss of profits or revenue or loss of service or other consequential damage to a telecommunication company using Licensor's property or a customer or user of services of the fiber optic cable on Licensor's property.

Section 13(b) TERMINATION

(b) In addition to the provisions of subparagraph (a) above, this Agreement may be terminated by written notice given by either party hereto to the other on any date in such notice stated, not less, however, than one hundred eighty (180) days subsequent to the date upon which such notice shall be given.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed as of the date first herein written.

UNION PACIFIC RAILROAD COMPANY	**CITY OF COLLEGE STATION**
By: _____	By: _____
Manager - Contracts	Title: _____

ATTEST:

_____
Connie Hooks, City Secretary
Date:_____

APPROVED:

_____
Glenn Brown, Acting City Manager
Date:_____

Angela M DeLuca
City Attorney
Date:_____

_____
Jeff Kersten, Finance & Strategic
Planning Director
Date:_____

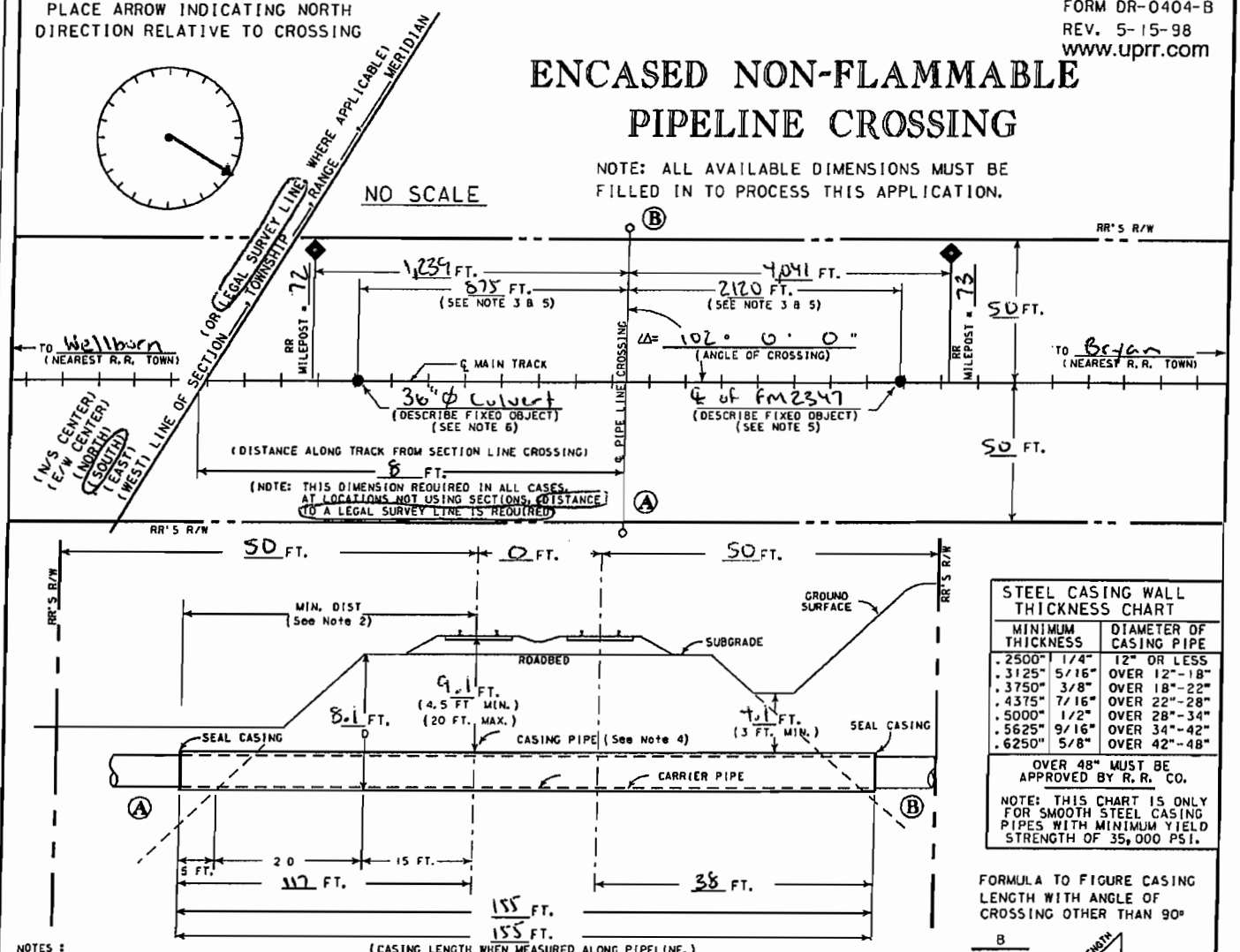
PLACE ARROW INDICATING NORTH DIRECTION RELATIVE TO CROSSING

FORM DR-0404-B
REV. 5-15-98
www.uprr.com

ENCASED NON-FLAMMABLE PIPELINE CROSSING

NOTE: ALL AVAILABLE DIMENSIONS MUST BE FILLED IN TO PROCESS THIS APPLICATION.

NO SCALE



STEEL CASING WALL THICKNESS CHART		
MINIMUM THICKNESS		DIAMETER OF CASING PIPE
.2500"	1/4"	12" OR LESS
.3125"	5/16"	OVER 12"-18"
.3750"	3/8"	OVER 18"-22"
.4375"	7/16"	OVER 22"-28"
.5000"	1/2"	OVER 28"-34"
.5625"	9/16"	OVER 34"-42"
.6250"	5/8"	OVER 42"-48"

OVER 48" MUST BE APPROVED BY R.R. CO.

NOTE: THIS CHART IS ONLY FOR SMOOTH STEEL CASING PIPES WITH MINIMUM YIELD STRENGTH OF 35,000 PSI.

FORMULA TO FIGURE CASING LENGTH WITH ANGLE OF CROSSING OTHER THAN 90°

$\frac{B}{\Delta \text{ SIN}}$

NOTES :
1) ALL HORIZONTAL DISTANCES TO BE MEASURED AT RIGHT ANGLES FROM ℄ OF TRACK.
2) CASING TO EXTEND BEYOND THE ℄ OF TRACK AT RIGHT ANGLES THE GREATER OF 2D + 20 FT., OR 30 FT., AND BEYOND LIMIT OF RAILROAD RIGHT-OF-WAY IF NECESSARY TO PROVIDE PROPER LENGTH OUTSIDE OF TRACK.
3) MINIMUM OF 50' FROM THE END OF ANY RAILROAD BRIDGE, ℄ OF ANY CULVERT, OR FROM ANY SWITCHING AREA.
4) SIGNAL REPRESENTATIVE MUST BE PRESENT DURING INSTALLATION IF RAILROAD SIGNALS ARE IN THE VICINITY OF CROSSING.
5) ALLOWABLE FIXED OBJECTS INCLUDE: BACKWALLS OF BRIDGES; ℄ OF ROAD CROSSINGS & OVERHEAD VIADUCTS (GIVE ROAD NAME), OR CULVERTS.
6) CASING AND CARRIER PIPE MUST BE PLACED A MINIMUM OF 2 FEET BELOW THE EXISTING FIBER OPTIC CABLE. ANY EXCAVATION REQUIRED WITHIN 5 FEET OF THE EXISTING FIBER OPTIC CABLE MUST BE HAND DUG.

A) IS PIPELINE CROSSING WITHIN DEDICATED STREET ?____YES; X NO;
B) IF YES, NAME OF STREET _____
D) DISTRIBUTION LINE X OR TRANSMISSION LINE _____
C) CARRIER PIPE :
COMMODITY TO BE CONVEYED Sanitary Sewage
OPERATING PRESSURE 0 PSI
WALL THICKNESS 0.323"; DIAMETER 8.4"; MATERIAL SDR26 PVC;
E) CASING PIPE :
WALL THICKNESS 0.25"; DIAMETER 12"; MATERIAL Steel;
NOTE : CASING MUST HAVE 2" CLEARANCE BETWEEN GREATEST OUTSIDE DIAMETER OF CARRIER PIPE AND INTERIOR DIAMETER OF CASING PIPE. WHEN FURNISHING DIMENSIONS, GIVE OUTSIDE OF CARRIER PIPE AND INSIDE OF CASING PIPE.
F) METHOD OF INSTALLING CASING PIPE UNDER TRACK(S):
X DRY BORE AND JACK (WET BORE NOT PERMITTED) ;
_____TUNNEL ; OTHER _____
G) WILL CONSTRUCTION BE BY AN OUTSIDE CONTRACTOR? X YES; ____NO;
H) DISTANCE FROM CENTER LINE OF TRACK TO NEAR FACE OF BORING AND JACKING PITS WHEN MEASURED AT RIGHT ANGLES TO TRACK 38' + 117' (30' MIN.)
I) APPLICANT HAS CONTACTED 1-800-336-9193, U. P. COMMUNICATION DEPARTMENT, AND HAS DETERMINED FIBER OPTIC CABLE X DOES ; ____DOES NOT ; EXIST IN VICINITY OF WORK TO BE PERFORMED . TICKET NO. 200505023020

EXHIBIT "A"
(FOR RAILROAD USE ONLY)

UNION PACIFIC RAILROAD CO.

Navasota
(SUBDIVISION)

M. P 72.23 E. S. 4954+16±

ENCASED Pipeline CROSSING AT

College Station Brazos TX
(NEAREST CITY) (COUNTY) (STATE)

City of College Station
(APPLICANT)

RR FILE NO 2352-26 DATE 10-12-05

WARNING

IN ALL OCCASIONS, U. P. COMMUNICATIONS DEPARTMENT MUST BE CONTACTED IN ADVANCE OF ANY WORK TO DETERMINE EXISTENCE AND LOCATION OF FIBER OPTIC CABLE.
PHONE : 1-800-336-9193

with the entire value of such property.

Section 9. RESTORATION OF LICENSOR'S PROPERTY.

In the event the Licensor authorizes the Licensee to take down any fence of the Licensor or in any manner move or disturb any of the other property of the Licensor in connection with the construction, maintenance, repair, renewal, modification, reconstruction, relocation or removal of the Pipeline, then in that event the Licensee shall, as soon as possible and at Licensee's sole expense, restore such fence and other property to the same condition as the same were in before such fence was taken down or such other property was moved or disturbed, and the Licensee shall indemnify and hold harmless the Licensor, its officers, agents and employees, against and from any and all liability, loss, damages, claims, demands, costs and expenses of whatsoever nature, including court costs and attorneys' fees, which may result from injury to or death of persons whomsoever, or damage to or loss or destruction of property whatsoever, when such injury, death, damage, loss or destruction grows out of or arises from the taking down of any fence or the moving or disturbance of any other property of the Licensor.

Section 10. INDEMNITY.

(a) As used in this Section, "Licensor" includes other railroad companies using the Licensor's property at or near the location of the Licensee's installation and their officers, agents, and employees; "Loss" includes loss, damage, claims, demands, actions, causes of action, penalties, costs, and expenses of whatsoever nature, including court costs and attorneys' fees, which may result from: (a) injury to or death of persons whomsoever (including the Licensor's officers, agents, and employees, the Licensee's officers, agents, and employees, as well as any other person); and/or (b) damage to or loss or destruction of property whatsoever (including Licensee's property, damage to the roadbed, tracks, equipment, or other property of the Licensor, or property in its care or custody).

(b) As a major inducement and in consideration of the license and permission herein granted, the Licensee agrees to indemnify and hold harmless the Licensor from any Loss which is due to or arises from:

1. The prosecution of any work contemplated by this Agreement including the installation, construction, maintenance, repair, renewal, modification, reconstruction, relocation, or removal of the Pipeline or any part thereof; or

2. The presence, operation, or use of the Pipeline or contents escaping therefrom,

except to the extent that the Loss is caused by the sole and direct negligence of the Licensor.

Section 11. REMOVAL OF PIPE LINE UPON TERMINATION OF AGREEMENT.

Prior to the termination of this Agreement howsoever, the Licensee shall, at Licensee's sole expense, remove the Pipeline from those portions of the property not occupied by the roadbed and track or tracks of the Licensor and shall restore, to the satisfaction of the Licensor, such portions of such property to as good a condition as they were in at the time of the construction of the Pipeline. If the Licensee fails to do the foregoing, the Licensor may do such work of removal and restoration at the cost and expense of the Licensee. The Licensor may, at its option, upon such termination, at the entire cost and expense of the Licensee, remove the portions of the Pipeline located underneath its roadbed and track or tracks and restore such roadbed to as good a condition as it was in at the time of the construction of the Pipeline, or it may permit the Licensee to do such work of removal and restoration to the satisfaction of the Licensor. In the event of the removal by the Licensor of the property of the Licensee and of the restoration of the roadbed and property as herein provided, the Licensor shall in no manner be liable to the Licensee for any damage sustained by the Licensee for or on account thereof, and such removal and restoration shall in no manner prejudice or impair any right of action for damages, or otherwise, that the Licensor may have against the Licensee.

Section 12. WAIVER OF BREACH.

The waiver by the Licensor of the breach of any condition, covenant or agreement herein contained to be kept, observed and performed by the Licensee shall in no way impair the right of the Licensor to avail itself of any remedy for any subsequent breach thereof.

Section 13. TERMINATION. **SEE ARTICLE** VII

(a) If the Licensee does not use the right herein granted or the Pipeline for one (1) year, or if the Licensee continues in default in the performance of any covenant or agreement herein contained for a period of thirty (30) days after written notice from the Licensor to the Licensee specifying such default, the Licensor may, at its option, forthwith immediately terminate this Agreement by written notice.

~~(b)~~ In addition to the provisions of subparagraph (a) above, this Agreement may be terminated by written notice given by either party hereto to the other on any date in such notice stated, not less, however, than thirty (30) days subsequent to the date upon which such notice shall be given.

(c) Notice of default and notice of termination may be served personally upon the Licensee or by mailing to the last known address of the Licensee. Termination of this Agreement for any reason shall not affect any of the rights or obligations of the parties hereto which may have accrued, or liabilities, accrued or otherwise, which may have arisen prior thereto.

Section 14. AGREEMENT NOT TO BE ASSIGNED.

The Licensee shall not assign this Agreement, in whole or in part, or any rights herein granted, without the written consent of the Licensor, and it is agreed that any transfer or assignment or attempted transfer or assignment of this Agreement or any of the rights herein granted, whether voluntary, by operation of law, or otherwise, without such consent in writing, shall be absolutely void and, at the option of the Licensor, shall terminate this Agreement.

Section 15. SUCCESSORS AND ASSIGNS.

Subject to the provisions of Section 14 hereof, this Agreement shall be binding upon and inure to the benefit of the parties hereto, their heirs, executors, administrators, successors and assigns.

Section 5. REINFORCEMENT, RELOCATION OR REMOVAL OF PIPELINE.

(a) The license herein granted is subject to the needs and requirements of the Licensor in the operation of its railroad and in the improvement and use of its property, and the Licensee shall, at the sole expense of the Licensee, reinforce the Pipeline, or move all or any portion of the Pipeline to such new location as the Licensor may designate, whenever, in the furtherance of its needs and requirements, the Licensor shall find such action necessary or desirable.

(b) All the terms, conditions and stipulations herein expressed with reference to the Pipeline on property of the Licensor in the location hereinbefore described shall, so far as the Pipeline remains on the property, apply to the Pipeline as modified, changed or relocated within the contemplation of this section.

Section 6. NO INTERFERENCE WITH LICENSOR'S OPERATION.

The Pipeline and all parts thereof within and outside of the limits of the property of the Licensor shall be constructed and, at all times, maintained, repaired, renewed and operated in such manner as to cause no interference whatsoever with the constant, continuous and uninterrupted use of the tracks, property and facilities of the Licensor, and nothing shall be done or suffered to be done by the Licensee at any time that would in any manner impair the safety thereof.

Section 7. PROTECTION OF FIBER OPTIC CABLE SYSTEMS.

SEE ARTICLE VII

(a) Fiber optic cable systems may be buried on the Licensor's property. Protection of the fiber optic cable systems is of extreme importance since any break could disrupt service to users resulting in business interruption and loss of revenue and profits. Licensee shall telephone the Licensor at 1-800-336-9193 (a 24-hour number) to determine if fiber optic cable is buried anywhere on the Licensor's premises to be used by the Licensee. If it is, Licensee will telephone the telecommunications company(ies) involved, arrange for a cable locator, make arrangements for relocation or other protection of the fiber optic cable, all at Licensee's expense, and will commence no work on the right of way until all such protection or relocation has been accomplished. Licensee shall indemnify and hold the Licensor harmless from and against all costs, liability and expense whatsoever (including, without limitation, attorneys' fees, court costs and expenses) arising out of or caused in any way by Licensee's failure to comply with the provisions of this paragraph.

(b) In addition to other indemnity provisions in this Agreement, the Licensee shall indemnify and hold the Licensor harmless from and against all costs, liability and expense whatsoever (including, without limitation, attorneys' fees, court costs and expenses) caused by the negligence of the Licensee, its contractor, agents and/or employees, resulting in (1) any damage to or destruction of any telecommunications system on Licensor's property, and/or (2) any injury to or death of any person employed by or on behalf of any telecommunications company, and/or its contractor, agents and/or employees, on Licensor's property, except if such costs, liability or expenses are caused solely by the direct active negligence of the Licensor. Licensee further agrees that it shall not have or seek recourse against Licensor for any claim or cause of action for alleged loss of profits or revenue or loss of service or other consequential damage to a telecommunication company using Licensor's property or a customer or user of services of the fiber optic cable on Licensor's property.

Section 8. CLAIMS AND LIENS FOR LABOR AND MATERIAL; TAXES.

(a) The Licensee shall fully pay for all materials joined or affixed to and labor performed upon property of the Licensor in connection with the construction, maintenance, repair, renewal, modification or reconstruction of the Pipeline, and shall not permit or suffer any mechanic's or materialman's lien of any kind or nature to be enforced against the property for any work done or materials furnished thereon at the instance or request or on behalf of the Licensee. The Licensee shall indemnify and hold harmless the Licensor against and from any and all liens, claims, demands, costs and expenses of whatsoever nature in any way connected with or growing out of such work done, labor performed, or materials furnished.

(b) The Licensee shall promptly pay or discharge all taxes, charges and assessments levied upon, in respect to, or on account of the Pipeline, to prevent the same from becoming a charge or lien upon property of the Licensor, and so that the taxes, charges and assessments levied upon or in respect to such property shall not be increased because of the location, construction or maintenance of the Pipeline or any improvement, appliance or fixture connected therewith placed upon such property, or on account of the Licensee's interest therein. Where such tax, charge or assessment may not be separately made or assessed to the Licensee but shall be included in the assessment of the property of the Licensor, then the Licensee shall pay to the Licensor an suitable proportion of such taxes determined by the value of the Licensee's property upon property of the Licensor as compared

EXHIBIT B

Section 1. LIMITATION AND SUBORDINATION OF RIGHTS GRANTED.

(a) The foregoing grant of right is subject and subordinate to the prior and continuing right and obligation of the Licensor to use and maintain its entire property including the right and power of the Licensor to construct, maintain, repair, renew, use, operate, change, modify or relocate railroad tracks, signal, communication, fiber optics, or other wirelines, pipelines and other facilities upon, along or across any or all parts of its property, all or any of which may be freely done at any time or times by the Licensor without liability to the Licensee or to any other party for compensation or damages.

(b) The foregoing grant is also subject to all outstanding superior rights (including those in favor of licensees and lessees of the Licensor's property, and others) and the right of the Licensor to renew and extend the same, and is made without covenant of title or for quiet enjoyment.

Section 2. CONSTRUCTION, MAINTENANCE AND OPERATION.

(a) The Pipeline shall be constructed, operated, maintained, repaired, renewed, modified and/or reconstructed by the Licensee in strict conformity with Union Pacific Railroad Co. Common Standard Specification 1029 adopted November 1949, and all amendments thereof and supplements thereto, which by this reference is hereby made a part hereof, except as may be modified and approved by the Licensor's Vice President-Engineering Services. In the event such Specification conflicts in any respect with the requirements of any federal, state or municipal law or regulation, such requirements shall govern on all points of conflict, but in all other respects the Specification shall apply.

(b) All work performed on property of the Licensor in connection with the construction, maintenance, repair, renewal, modification or reconstruction of the Pipeline shall be done to the satisfaction of the Licensor.

(c) Prior to the commencement of any work in connection with the construction, maintenance, repair, renewal, modification, relocation, reconstruction or removal of the Pipeline where it passes underneath the roadbed and track or tracks of the Licensor, Licensee shall submit to the Licensor plans setting out the method and manner of handling the work, including the shoring and cribbing, if any, required to protect the Licensor's operations, and shall not proceed with the work until such plans have been approved by the Vice President-Engineering Services of the Licensor and then the work shall be done to the satisfaction of the Vice President-Engineering Services or his authorized representative. The Licensor shall have the right, if it so elects, to provide such support as it may deem necessary for the safety of its track or tracks during the time of construction, maintenance, repair, renewal, modification, relocation, reconstruction or removal of the Pipeline, and, in the event the Licensor provides such support, the Licensee shall pay to the Licensor, within fifteen (15) days after bills shall have been rendered therefor, all expense incurred by the Licensor in connection therewith, which expense shall include all assignable costs.

(d) The Licensee shall keep and maintain the soil over the Pipeline thoroughly compacted and the grade even with the adjacent surface of the ground.

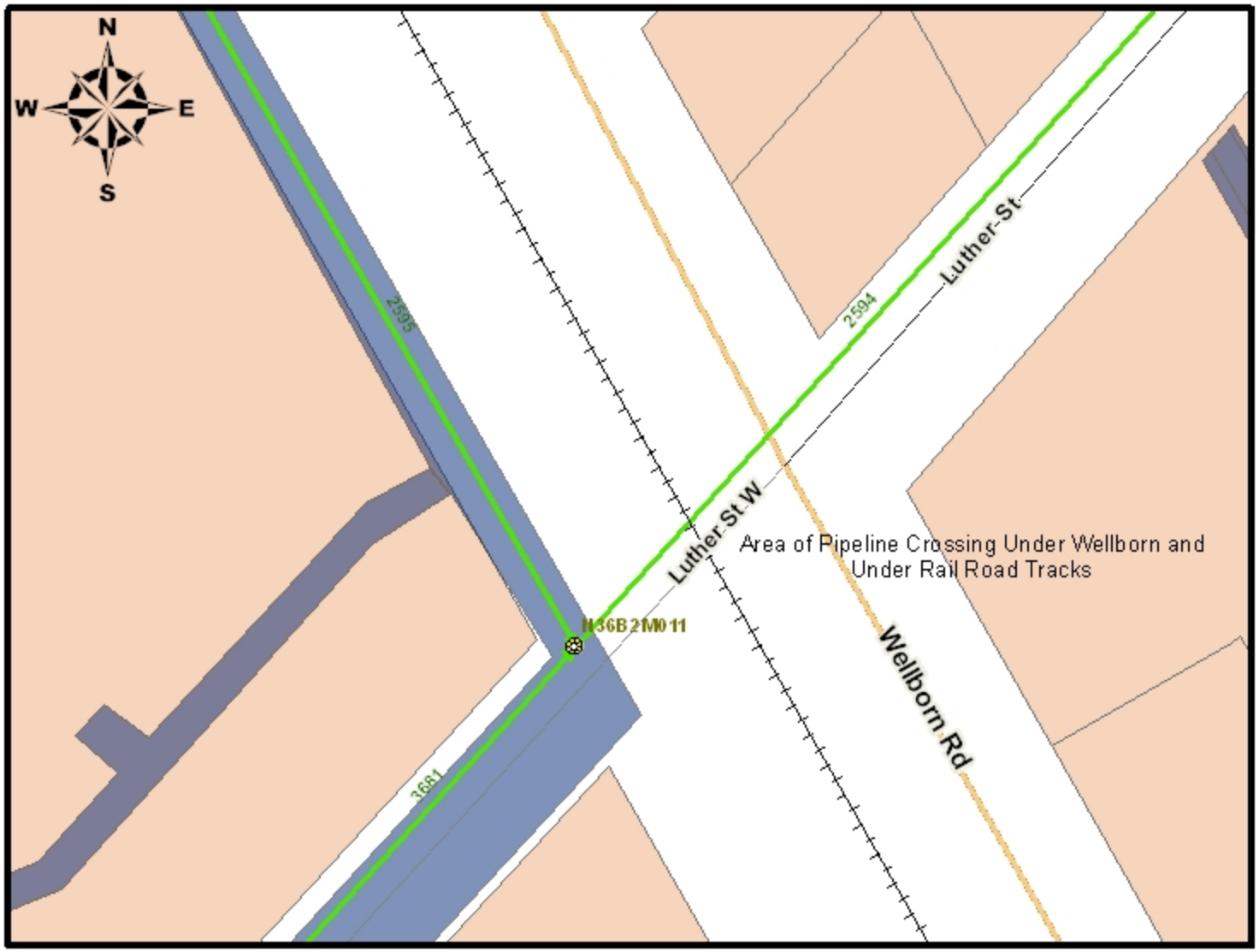
Section 3. NOTICE OF COMMENCEMENT OF WORK.

If an emergency should arise requiring immediate attention, the Licensee shall provide as much notice as practicable to Licensor before commencing any work. In all other situations, the Licensee shall notify the Licensor at least ten (10) days (or such other time as the Licensor may allow) in advance of the commencement of any work upon property of the Licensor in connection with the construction, maintenance, repair, renewal, modification, reconstruction, relocation or removal of the Pipeline. All such work shall be prosecuted diligently to completion.

Section 4. LICENSEE TO BEAR ENTIRE EXPENSE.

The Licensee shall bear the entire cost and expense incurred in connection with the construction, maintenance, repair and renewal and any and all modification, revision, relocation, removal or reconstruction of the Pipeline, including any and all expense which may be incurred by the Licensor in connection therewith for supervision, inspection, flagging, or otherwise.

West Park Rehabilitation Project
Pipeline Crossing



50 25 0 50 100 150 200 Feet

Legend

Railroad

Drainage Entity

- Arc
- Circle
- Insert
- Line
- Polyline
- Manhole
- Junction Box
- Cleanout
- Lift Station
- Pipefit
- Force Main
- Gravity Main

Streets

- Minor Streets

FSC

- OVERPASS
- FREEWAY
- MAJOR ARTERIAL
- MAJOR COLLECTOR
- MINOR ARTERIAL
- MINOR COLLECTOR
- LOCAL STREET
- PRIVATE STREET
- TAMU
- ALLEY
- All Easements
- Property

March 9, 2006
Consent Agenda
Resolution and Annual Price Agreement for Tires

To: Glenn Brown, Interim City Manager

From: Jeff Kersten, Director of Finance and Strategic Planning

Agenda Caption: Presentation, possible action and discussion on approving a resolution determining Pilger's Tire & Automotive as offering the best combination of price and additional economic development opportunity for an annual agreement to purchase tires in an amount not to exceed $56,328.52.

Recommendation(s): Staff recommends approval of the resolution.

Summary: Local Government Code (LGC) 271.9051 allows the City to give preference to a bidder whose business is in the municipality and whose bid is within 5% of the lowest bid price. However, the Council must determine in writing that the local bidder offers the best combination of contract price and additional economic development opportunities for the City created by the contract award. This item was originally brought to the City Council for consideration at the February 23 City Council Meeting. The Council direction at that time was to bring back an item that would meet the requirements to allow them to award the bid as described above.

Pilger's Tire & Automotive is within 2% of the low bidder. Pilger's Tire & Automotive leases the land and building located at 400 University Drive E. from Carquest (a North Carolina LLC). The 2005 property taxes for the land and building paid to the City of College Station are $2,368.10, and the 2005 business personal property taxes to be paid to the City of College Station are $885.39. The City also receives sales tax revenue from the taxable sales generated by Pilger's Tire & Auto. In addition to property and sales taxes received, Pilger's also employs 5 College Station residents (36% of their workforce). A resolution has been prepared for Council approval that outlines the economic benefit for awarding this bid to the local bidder, Pilger's Tire & Automotive.

This was a joint bid between the Cities of College Station and Bryan. The agreement is for a term of one year, renewable annually upon mutual consent for two additional one year terms. A summary of the five (5) bids received follows:

Grays Wholesale Tire	$55,178.10
Pilger's Tire & Automotive	$56,328.52
Southern Tire Mart	$60,723.80
Wingfoot Commercial Tire	$78,620.81
Druery's Tire Service	$86,700.10

Budget & Financial Summary: Funds are available and budgeted in the Fleet Maintenance Fund which is funded by all other departments.

Attachments:

1. Resolution
2. Bid Tabulation

RESOLUTION NO._____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COLLEGE STATION, TEXAS, DETERMINING THE LOCAL BIDDER FOR AN ANNUAL AGREEMENT TO PURCHASE TIRES PROVIDES THE BEST COMBINATION OF CONTRACT PRICE AND ADDITIONAL ECONOMIC DEVELOPMENT OPPORTUNITES IN ACCORDANCE WITH SECTION 271.9051(b)(2) OF THE TEXAS LOCAL GOVERNMENT CODE, APPROVING A CONTRACT FOR SUCH PURCHASE, AND AUTHORIZING THE EXPENDITURE OF FUNDS.

WHEREAS, Texas Local Government Code, Section 271.9051 authorizes certain municipalities that receive a competitive sealed bid from a bidder whose principal place of business is in the municipality, to accept such bid if it is within five percent (5%) of the lowest bid price received by the municipality from a bidder who is not a resident of the municipality, if the governing body determines in writing that the local bidder offers the municipality the best combination of contract price and additional economic development opportunities for the municipality created by the contract award, including the employment of residents of the municipality and increased tax revenues to the municipality; and

WHEREAS, the City Council of the City of College Station, Texas, made such a determination on this date when it selected Pilger's Tire and Automotive to provide tires to the City of College Station under an annual agreement; now, therefore,

BE IT RESOLVED by the City Council of the City of College Station, Texas:

PART 1: That the City Council hereby finds that Pilger's Tire and Automotive bid prices are within two percent (2%) of the low bidder.

PART 2: That the City Council hereby finds that Pilger's Tire & Automotive offers the City of College Station the best combination of contract price and additional economic development opportunities, including employing thirty-six percent (36%) of its current workforce from College Station residents and generating sales tax and property tax revenues that benefit the City.

PART 3: That the City Council hereby approves the authorization of expenditures to Pilger's Tire and Automotive for an annual agreement to purchase tires in an amount not to exceed $56,328.52.

PART 4: That this resolution shall take effect immediately from and after its passage.

ADOPTED this _____ day of _____, A.D. 2006.

ATTEST: APPROVED:

CONNIE HOOKS, City Secretary

RON SILVIA, Mayor

APPROVED:

E-Signed by Carla A. Robinson
VERIFY authenticity with Approvelt

City Attorney

City of College Station
Bid Tabulation

ANNUAL BID FOR TIRES--Joint Bid w/City of Bryan
DEPARTMENT: Public Works/Fleet Div.
BID: #06-46

CITY OF COLLEGE STATION: Group I A--New Tire Purchases				Wingfoot Commercial Tire, Bryan, TX, Contact: Shayne Wimberly		Pilger Tire & Automotive, College Station, TX, Contact: Willie Hess		Grays Wholesale Tire, Fort Worth, TX, Contact: Ron Harmer		Southern Tire Mart, Fort Worth, TX, Contact: Bobby Harms		Druery's Tire Service, Bryan, TX, Contact: Ray Druery	
Item No.	Est. Quan.	Unit Meas.	Description/Size #Type	Unit Price	Item Total	Unit Price	Item Total	Unit Price	Item Total	Unit Price	Item Total	Unit Price	Item Total
1	130	EA	Tire 11/R22.5 --G159	276.72	35,973.60	193.98	25,217.40	196.90	25,597.00	212.00	27,560.00	285.00	37,050.00
2	85	EA	Tire 11 R22.5 --G244	291.03	24,737.55	222.60	18,921.00	211.10	17,943.50	229.00	19,465.00	295.00	25,075.00
3	8	EA	Tire 11 L15 --Laborer	130.00	1,040.00	67.20	537.60	65.16	521.28	101.00	808.00	145.00	1,160.00
4	16	EA	Tire P235/75R16 --Wrangler ST	84.86	1,357.76	60.72	971.52	58.22	931.52	64.80	1,036.80	157.00	2,512.00
5	8	EA	Tire 11 L16 --Laborer	145.00	1,160.00	72.00	576.00	69.60	556.80	108.00	864.00	148.00	1,184.00
6	10	EA	Tire 425/65R22.5 --G286	459.20	4,592.00	333.90	3,339.00	321.53	3,215.30	327.00	3,270.00	660.00	6,600.00
7	80	EA	P225/60R16-Eagle GT+4 (RSA)	67.08	5,366.40	54.10	4,328.00	51.23	4,098.40	58.00	4,640.00	93.00	7,440.00
8	10	EA	Tire 315/80R22.5 --G286	439.35	4,393.50	243.80	2,438.00	231.43	2,314.30	308.00	3,080.00	567.91	5,679.10
			Total Bid $	$	78,620.81	$	56,328.52	$	55,178.10	$	60,723.80	$	86,700.10
			Various other tires (not listed above)	Various		State of TX Contract		Various		Various		None quoted	
			Used auto tire pickup & disposal fee (if any)	$3.50		$2.00		$1.25		$1.50		$5.00	
			Used truck tire pickup & disposal fee	$8.50		$7.00		$8.00		$3.50		$10.00	
			Manufacturer	Goodyear		Bridge/Firestone		Bridge/Firestone		Bridge/Firestone		Various	
			Certification	Y		Y		Y		Y		Y	
			Experience & Data Information	Y		Y		Y		Y		Y	
			Exceptions	N		N		N		N		N	
			Addenda	Y		Y		Y		Y		Y	

March 9, 2006

Consent Agenda

**Real Estate Contract for the Purchase of Property
to be used for the Cemetery Acquisition Project
Gerald and Joyce Kinman Property**

To: Glenn Brown, Interim City Manager

From: Mark McAuliffe, Land Agent

Agenda Caption: Presentation, possible action and discussion approving a real estate contract that will authorize the purchase of 27.09 acres of land needed for the Cemetery Acquisition project. The property is owned by Gerald L. Kinman and Joyce N. Kinman and is located on the northwest side of Raymond Stotzer Parkway (FM 60), west of Harvey Mitchell Parkway (FM 2818), across from Easterwood Airport. The purchase price is $700,000.

Recommendation(s): Staff is recommending that the contract be approved, which will authorize the purchase of 27.09 acres of land needed for the project.

Summary: The property owner is currently obligated to sell the land to another party. If approved by City Council, this contract will act as a "back-up". Should the first contract become void, then City staff will complete the purchase with no further Council action.

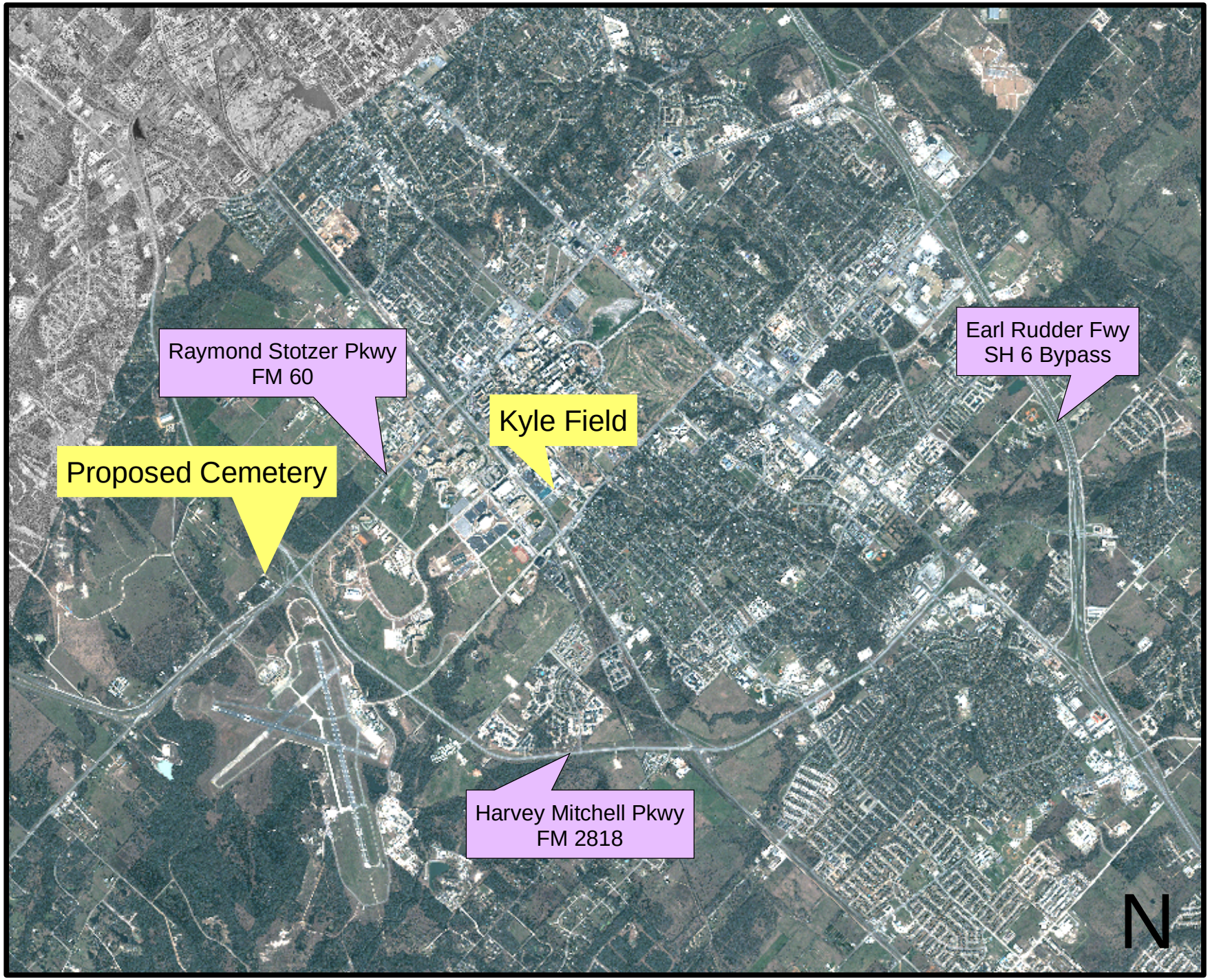
This property and two other tracts owned by the Texas A&M University System are needed for the project.

Budget & Financial Summary: The purchase price for the property is $700,000 (Seven Hundred Thousand Dollars). In addition, closing costs and associated expenses (surveying, etc) have been estimated to be $20,000 (Twenty Thousand Dollars). Funds are available and budgeted in the General Government Capital Projects Fund.

Attachments:

- City Map
- Project Map
- Real Estate Contract

Cemetery Acquisition Project



Tract A
21 ac.
TAMU
Tract C
27 ac.
Kinman, Gerald & Joyce
COCS
2.45 ac.
Tract B
8.63
TAMU
Harvey Mitchell Pkwy (2818)
Raymond Stotzer (Hwy 60)

REAL ESTATE CONTRACT

THIS CONTRACT OF SALE is made by and between GERALD L. KINMAN and JOYCE N. KINMAN, ("SELLERS"), and the CITY OF COLLEGE STATION, TEXAS, a Texas Home Rule Municipal Corporation, situated in Brazos County, Texas ("BUYER"), upon the terms and conditions set forth herein.

ARTICLE I
PURCHASE AND SALE

1.1 SELLERS agree to sell and convey in fee simple by General Warranty Deed, and BUYER agrees to purchase and pay for a 27.09 acre (more or less) tract or parcel of land lying and being situated in the J.H. JONES LEAGUE, A-26, and the J.E. SCOTT LEAGUE, A-50, Brazos County, Texas, and being part of that 27.77 acres tract of land conveyed to Murray L. Kinman, et ux by Mrs. Bertie S. Hoerner and husband, John D. Hoerner by Deed recorded in Volume 263, Page 28, Deed Records of Brazos County, Texas, and also being a part of that 8.1333 acre tract of land conveyed to Murray L. Kinman et ux by Katie W. Suber and husband, Milton Suber by Deed recorded in Volume 229, Page 197, Deed Records of Brazos County, Texas, and more particularly described by metes and bounds in Exhibit "A" attached hereto and made a part hereof for all purposes ("PROPERTY"), together with all and singular the rights and appurtenances pertaining to the PROPERTY, including all right, title and interest of SELLERS in and to adjacent roads, streets, alleys or rights-of-way (all of such real property, rights, and appurtenances being herein referred to as the "PROPERTY"), together with SELLERS' interest in any improvements and fixtures situated on and attached to the PROPERTY, for the consideration and subject to the terms, provisions, and conditions set forth herein. This Contract by BUYER to purchase the PROPERTY is subject to approval by the City Council of the City of College Station, Texas; such approval indicated by signature of BUYER's representatives to this CONTRACT OF SALE. It is expressly understood that, subject to the terms, conditions, reservations and exceptions contained in this contract and the General Warranty Deed in the form attached hereto Exhibit "B", SELLERS shall reserve unto themselves, their successors and assigns, any and all oil, gas and other minerals in, on or under the PROPERTY.

1.2 BUYER has requested Brazos County Abstract Company furnish a Commitment for Title Insurance (the "Title Commitment") to insure title to the BUYER for BUYER's review together with legible copies of all instruments referred to in the Title Commitment. The BUYER shall request the title company to furnish these items to BUYER within fifteen (15) calendar days of the date of this Contract. BUYER shall have a period of five (5) business days (the "Title Review Period") after receipt of the Title Commitment and the copies of the instruments referred to in Schedule B as exceptions within which to notify SELLERS of BUYER's objection to any item shown on or referenced by those documents (the "Reviewable Matters"). Any Reviewable

Matter to which BUYER does not object within the Title Review Period shall be deemed to be accepted by BUYER. If BUYER objects to any such Reviewable Matter and gives notice to SELLERS as provided herein, SELLERS may at their election, on or before closing, attempt to cure same. If SELLERS fail to cure same by the closing date, or are unwilling to cure same, the closing date shall be extended for five (5) business days for BUYER to either (a) waive such objections and accept such title as SELLERS are able to convey or (b) terminate this Contract by written notice to the Title Company and to SELLERS, in which case the earnest money shall be refunded to BUYER, and neither SELLERS nor BUYER shall have any further rights or obligations under this Contract.

1.3 (a) The City of College Station, Texas, at its expense, will provide a survey of the PROPERTY, showing, without limitation, all adjacent property lines, record ownership of adjoining properties, encroachments, easements, rights-of-way and other encumbrances of record. The survey will reflect any encroachments onto or by the PROPERTY onto adjoining properties. BUYER shall have a period of five (5) business days (the "Survey Review Period") after receipt of the Survey within which to notify SELLERS of BUYER's objection to any item shown on or referenced on the Survey. Any Reviewable Matter to which BUYER does not object within the Survey Review Period shall be deemed to be accepted by BUYER. If BUYER objects to any such Reviewable Matter and gives notice to SELLERS as provided herein, SELLERS may at their election, on or before closing, attempt to cure same. If SELLERS fail to cure same by the closing date, or are unwilling to cure same, the closing date shall be extended for five (5) business days for BUYER to either (a) waive such objections and accept such title as SELLERS are able to convey or (b) terminate this Contract by written notice to the Title Company and to SELLERS, in which case any earnest money shall be refunded to BUYER, and neither SELLERS nor BUYER shall have any further rights or obligations under this Contract.

(b) The survey drawing shall be addressed to and certified in favor of the BUYER and the Title Company. The field notes description, as prepared by the surveyor, shall be substituted for the description attached to this Contract and shall be used in the General Warranty Deed.

1.4 BUYER may at its cost order a Level 1 Environmental Site Assessment. BUYER shall have a period of ten (10) business days after receipt of the Environmental Site Assessment to review the assessment and notify SELLERS of BUYER's rejection of the PROPERTY. BUYER at its option may elect to provide SELLERS with an opportunity to cure the environmental problem. If BUYER elects not to provide SELLERS with an opportunity to cure or if SELLERS fail to cure once BUYER provides that opportunity, this Contract shall be terminated and neither party will have any further liability.

1.5 The parties agree that general real estate taxes on the PROPERTY for the then current year, interest on any existing indebtedness, and rents, if any, shall be prorated as of the closing date and shall be adjusted in cash at the closing. BUYER alone shall be liable for any taxes assessed and levied for prior years resulting from any change in use subsequent to the conveyance to BUYER. If the closing shall occur before the tax rate is fixed for the current year,

the apportionment of taxes shall be upon the basis of the tax rate for the next preceding year applied to the latest assessed valuation. All installments that have matured prior to the closing date on any special taxes or assessments shall be paid by SELLERS; and any installments that are provided in the special assessment to mature after closing shall be assumed by BUYER.

1.6 The sale of the PROPERTY shall be made by a General Warranty Deed from SELLERS to BUYER in the form prepared by BUYER attached hereto as Exhibit "B".

ARTICLE II
PURCHASE PRICE

2.1 The purchase price for said PROPERTY shall be the sum of SEVEN HUNDRED THOUSAND AND NO/100 DOLLARS ($700,000.00). The purchase price shall be payable in full at closing.

ARTICLE III
REPRESENTATIONS AND WARRANTIES OF SELLERS

3.1 SELLERS hereby represent and warrant to BUYER as follows:

(a) SELLERS have the full right, power, and authority to enter into and perform their obligations under this Contract.

(b) SELLERS have no actual knowledge of any parties in possession of any portion of the PROPERTY, either as lessees, tenants at sufferance, trespassers, or other persons in possession, other than oil, gas and mineral interest leases affecting the PROPERTY, a copy of which will be provided by SELLERS within ten (10) days of the contract. Additionally, SELLERS have no actual knowledge of any action by adjacent landowners, or any natural or artificial conditions upon the PROPERTY, or any significant adverse fact or condition relating to the PROPERTY, which has not been disclosed in writing to BUYER by SELLERS, which would prevent, limit, impede or render more costly BUYER's contemplated use of the PROPERTY. SELLERS disclose improvements associated with oil, gas and mineral productions (oil well pad site, access roadway and other related improvements) are located upon the PROPERTY.

(c) SELLERS have no actual knowledge of any pending or threatened condemnation or similar proceedings or assessment affecting the PROPERTY or any part thereof. SELLERS have no actual knowledge of any such proceedings or assessments contemplated by any governmental entity.

(d) SELLERS have no actual knowledge that the PROPERTY does not have full and free access to and from public highways, streets, or roads. SELLERS have no actual knowledge that there are pending or threatened governmental proceedings that would impair or result in the termination of such access. If SELLERS obtain actual knowledge of any such matter subsequent

to the date of this Contract that would make any of the representations or warranties untrue if made as of closing, SELLERS shall notify BUYER, and BUYER shall have the election of terminating the Contract and receiving back its earnest money, in which case neither party shall have any further obligation to the other.

(e) The PROPERTY has not been illegally subdivided or otherwise held, managed, or maintained in violation of any federal, state, or local law.

(f) SELLERS have no actual knowledge that SELLERS have not complied with all applicable laws, ordinances, regulations, statutes, rules and restrictions relating to the PROPERTY or any part thereof.

(g) If SELLERS obtain actual knowledge of any such matter subsequent to the date of this Contract that would make any of the representations or warranties untrue if made as of closing, SELLERS shall notify BUYER, and BUYER shall have the election of terminating the Contract and receiving back its earnest money, in which case neither party shall have any further obligation to the other.

(h) SELLERS have no knowledge that the PROPERTY contains any environmental hazard not shown on the environmental assessment provided by BUYER. SELLERS discloses an oil well pad site, access roadway, two water wells, two abandoned septic tanks, concrete building foundation, petroleum pipeline and water pipes are located upon the PROPERTY. Within ten (10) days of the date of this contract, SELLERS shall, to the best of SELLERS' ability, inform BUYER in writing of the location of said items.

(i) SELLERS are not "foreign persons" within the meaning of the Internal Revenue Code of 1986, as amended, Sections 1445 and 7701 (i.e., SELLERS are not non-resident aliens, a foreign corporation, foreign partnership, foreign trust or foreign estate as those terms are defined in the Code and regulations promulgated thereunder).

(j) To the best of SELLERS' knowledge there are no unpaid charges, debts, liabilities, claims or obligations arising from any construction, occupancy, ownership, use or operation of the PROPERTY, or the business operated thereon, if any, which could give rise to any mechanic's or materialmen's or other statutory lien against the PROPERTY, or any part thereof, or for which BUYER will be responsible.

ARTICLE IV
REPRESENTATIONS AND WARRANTIES OF BUYER

4.1 BUYER represents and warrants to SELLERS as of the effective date and as of the closing date that:

(a) BUYER has the full right, power, and authority to purchase the PROPERTY from SELLERS as provided in this Contract and to carry out BUYER's obligations under this

Contract, and all requisite action necessary to authorize BUYER to enter into this Contract and to carry out BUYER's obligations hereunder has been obtained or on or before closing will have been taken.

ARTICLE V
CLOSING

5.1 The closing shall be held at Brazos County Abstract Company, within forty-five (45) calendar days from the occurrence of Special Condition 6.1 stated herein, at such time and date as SELLERS and BUYER may agree upon (the "closing date").

5.2 At the closing, SELLERS shall:

(a) Deliver to BUYER the duly executed and acknowledged General Warranty Deed prepared by BUYER, conveying good and marketable title in the PROPERTY, free and clear of any and all liens, encumbrances, except for the Reviewable Matters and subject to the BUYER's election to terminate this Contract in the event BUYER disapproves of any Reviewable Matter, which objection is to be cured by SELLERS on or prior to the closing as provided by Article I of this Contract.

(b) Deliver possession of the PROPERTY to BUYER.

(c) Deliver to BUYER, at BUYER's expense, a Title Policy insuring indefeasible title issued by Brazos County Abstract Company, in BUYER's favor in the full amount of the purchase price, insuring BUYER's fee simple interest in the PROPERTY subject only to such exceptions as shown on the Title Commitment and not objected to by BUYER prior to closing.

(d) Pay any and all required property taxes and prorated taxes for the year 2005.

(e) Pay the SELLERS' expenses and attorney fees.

5.3 Upon such performance by SELLERS at closing, BUYER shall:

(a) Pay the balance of the purchase price.

(b) Pay the escrow fees.

(c) Prepare, at its cost, the General Warranty Deed.

(d) Pay the title insurance.

(e) Pay the costs to obtain, deliver and record all documents other than those to be recorded at SELLERS' expense.

(f) Pay the BUYER's expenses or attorney fees.

(g) Pay the additional premium for the survey/boundary deletion in the title policy, if the deletion is requested by BUYER.

(h) Pay the costs of work required by BUYER to have the survey reflect matters other than those required under this contract.

ARTICLE VI
SPECIAL CONDITIONS

6.1 This contract is contingent upon the termination of a previous contract (the "First Contract") between SELLERS and Robert Aiello or assigns dated July 27, 2005, for the sale of the PROPERTY. Except as provided in this paragraph, neither party is required to perform under this contract until the termination of the "First Contract". SELLERS must notify BUYER immediately of the termination of the "First Contract" at which time this contingency shall be removed from this contract. In the event that the "First Contract" is not terminated within ninety (90) days of the effective date of this Contract, this Contract shall automatically terminate and will be of no further force or effect.

6.2 SELLERS represent that SELLERS have not agreed to pay a real estate commission or brokerage fee as a result of this transaction. In the event that SELLERS choose to pay a brokerage fee or commission as a result of this transaction, then SELLERS shall pay to BUYER three percent (3%) of the purchase price indicted by ARTICLE II herein.

ARTICLE VII
BREACH BY SELLERS

7.1 In the event SELLERS fail to fully and timely perform any of their obligations under this Contract or fail to consummate the sale of the PROPERTY for any reason except BUYER's default, BUYER may-terminate this contract and pursue any legal remedies available at law or in equity.

ARTICLE VIII
BREACH BY BUYER

8.1 In the event BUYER fails to consummate the purchase of the PROPERTY (BUYER being in default and SELLERS not being in default hereunder), SELLERS shall have the right to terminate this contract and bring suit against BUYER only for expectancy and incidental damages, if any.

ARTICLE IX
MISCELLANEOUS

9.1 Survival of Covenants: Any of the representations, warranties, covenants, and agreements of the parties, as well as any rights and benefits of the parties, pertaining to the period of time following the closing date, shall survive the closing and shall not be merged by deed or otherwise be extinguished.

9.2 Notice: Any notice required or permitted to be delivered by this Contract shall be deemed received when sent by United States mail, postage prepaid, certified mail, return receipt requested, addressed to SELLERS or BUYER, as the case may be, at the addresses set forth below:

SELLERS: Dr. Gerald L. Kinman and Mrs. Joyce N. Kinman
1902 Lakeview Drive
Rockwall, Texas 75087-5111
Phone (for reference): 972/722-6784 (Home
979/828-3717 (Ranch)
979/777-0833 (Cell

With Copy to:
Dr. Gerald L. Kinman and Mrs. Joyce N. Kinman
13021 FM 2446
Franklin, TX 77856

BUYER: City of College Station
Legal Department
1101 Texas Avenue
College Station, Texas 77840

9.3 Texas Law to Apply: This Contract shall be construed under and in accordance with the laws of the State of Texas, and all obligations of the parties created by this Contract are to be performed in Brazos County, Texas.

9.4 Parties Bound: This Contract shall be binding upon and inure to the benefit of the parties hereto and their respective heirs, executors, administrators, legal representatives, successors and assigns. The persons executing this Contract do so in their capacities as set forth below and in no other capacity whatsoever, and such persons shall have no personal liability for executing this Contract in a representative capacity. All such liability is limited to the principal for which they execute this document as a representative.

9.5 Invalid Provision: In case any one or more of the provisions contained in this Contract shall for any reason be held invalid, illegal, or unenforceable in any respect, such invalidity, illegality, or unenforceability shall not affect any other provision of this Contract, and this Contract shall be construed as if such invalid, illegal, or unenforceable provision had never been

contained in the Contract. In lieu of such illegal, invalid or unenforceable provision, there shall be added automatically as part of this Contract a provision as similar in terms to such illegal, invalid or unenforceable provision as may be possible and be legal, valid and enforceable.

9.6 Construction: The parties acknowledge that each party and its counsel have reviewed and revised this Contract and that the normal rule of construction to the effect that any ambiguities are to be resolved against the drafting party shall not be employed in the interpretation of this Contract or any amendments or exhibits hereto.

9.7 Prior Agreements Superseded: This Contract embodies the entire agreement of the parties and supersedes any and all prior understandings or written or oral agreements between the parties respecting subject matter within and may only be amended or supplemented by an instrument in writing executed by the party against whom enforcement is sought.

9.8 Time of Essence: Time is of the essence to this Contract.

9.9 Gender: Words of any gender used in this Contract shall be held and construed to include any other gender, and words in the singular number shall be held to include the plural, and vice versa, unless the context requires otherwise.

9.10 Multiple Counterparts: This Contract may be executed in a number of identical counterparts. If so executed, each of the counterparts shall, collectively, constitute but one agreement. In making proof of this Contract it shall not be necessary to produce or account for more than one counterpart.

9.11 Memorandum of Contract: Upon request of either party, both parties shall promptly execute a memorandum of this agreement suitable for filing of record.

EXECUTED on this the _____ day of _____, 2006.

SELLERS:

BY: Gerald L. Kinman
GERALD L. KINMAN

BY: Joyce N. Kinman
JOYCE N. KINMAN

BUYER:
CITY OF COLLEGE STATION

BY:_____
RON SILVIA, Mayor

Date:_____

ATTEST:

_____
CONNIE HOOKS, City Secretary
Date:_____

APPROVED:

_____
GLENN BROWN, Interim City Manager
Date:_____

_____
JEFF KERSTEN, Finance and Strategic
Planning Director
Date:_____

Carla A Robinson
City Attorney
Date:_____

THE STATE OF TEXAS §
§ ACKNOWLEDGMENT
COUNTY OF BRAZOS §

This instrument was acknowledge before me on the _____ day of _____, 2006, by RON SILVIA, as Mayor of the CITY OF COLLEGE STATION, a Texas Home Rule Municipal Corporation, on behalf of said municipality.

_____
NOTARY PUBLIC in and for
the STATE OF TEXAS

THE STATE OF TEXAS §
§ ACKNOWLEDGMENT
COUNTY OF BRAZOS §

This instrument was acknowledged before me on the 25 day of February, 2006, by GERALD L. KINMAN.

NOTARY PUBLIC in and for
the STATE OF TEXAS

MARK EDWIN MCAULIFFE
NOTARY PUBLIC
STATE OF TEXAS
EXPIRES
AUGUST 20, 2009

THE STATE OF TEXAS §
§ ACKNOWLEDGMENT
COUNTY OF BRAZOS §

This instrument was acknowledged before me on the 25 day of February, 2006, by JOYCE N. KINMAN.

NOTARY PUBLIC in and for
the STATE OF TEXAS

MARK EDWIN MCAULIFFE
NOTARY PUBLIC
STATE OF TEXAS
EXPIRES
AUGUST 20, 2009

EXHIBIT "A"

Being all that certain tract or parcel of land lying and being situated in the J. H. JONES LEAGUE, A-26 and the J. E. SCOTT LEAGUE, A-50, Brazos County, Texas and being part of that 27.77 acre tract of land conveyed to Murray L. Kinman et ux by Mrs. Bertie S. Hoerner and husband, John D. Hoerner by Deed recorded in Volume 263, page 28, Deed Records of Brazos County, Texas and also being a part of that 8.1333 acre tract of land conveyed to Murray L. Kinman et ux by Katie W. Suber and husband, Milton Suber by Deed recorded in Volume 229, page 197, Deed Records of Brazos County, Texas and being more particularly described as follows:

BEGINNING at an iron rod at the south corner of said 27.77 acre tract, said iron rod also being in the northwest right of way line of F.M. 60;

THENCE N 45° 00' 00" W - 604.42 feet to an iron rod for corner;

THENCE S 45° 52' 17" W - 1070.25 feet to an iron rod for corner;

THENCE N 33° 17' 09" W - 712.73 feet to an iron rod for corner;

THENCE N 42° 36' 39" E - 1276.94 feet to a tree in a fence line for corner;

THENCE S 44° 02' 25" E - 1253.34 feet to an iron rod for corner in said F.M. 60 line;

THENCE S 9° 20' 17" E - 145.12 feet and S 44° 49' 36" W - 244.81 feet along said F.M. 60 line for the PLACE OF BEGINNING and containing 27.09 acres of land, more or less, and being the same property described in a Gift Deed from Junia E. Kinman to Gerald L. Kinman, dated January 3, 1992, recorded in Volume 1404, page 235, Official Records of Brazos County, Texas.

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OF THE FOLLOWING INFORMATION FROM THIS INSTRUMENT BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

EXHIBIT "B"

GENERAL WARRANTY DEED

DATE: _____

GRANTORS:

GRANTORS' MAILING ADDRESS:
(including county)

Brazos County
College Station, Texas 77845

GRANTEE: CITY OF COLLEGE STATION, TEXAS

GRANTEE'S MAILING ADDRESS:
(including county)

1101 Texas Avenue
Brazos County
College Station, Texas 77840

CONSIDERATION: Ten Dollars ($10.00) and other good and valuable consideration.

PROPERTY:

INSERT PROPERTY DESCRIPTION

RESERVATIONS FROM AND EXCEPTIONS TO CONVEYANCE AND WARRANTY:

INSERT

GRANTORS hereby reserve unto themselves, their successors and assigns, any and all oil, gas and other minerals in, on or under the premises described on the attached Exhibit A; provided that there shall never in any event be any ingress or egress on or across the surface of the above described premises for the purposes of exploration, development, production or transportation of such oil, gas or other minerals, it being expressly contemplated by the parties to this instrument that any production of such minerals shall be from the surface of other adjacent property and that there shall be no development of any minerals that would require mining, shaft mining, pit mining or any other kind of mining that would require utilization of the surface, or through the pooling of such mineral interests for the development with adjacent parcels and provided further that GRANTORS do not reserve and expressly convey to GRANTEE any and all minerals of whatsoever kind and nature owned by GRANTORS down to the depth of two hundred fifty (250) feet from the actual surface of any portion of said tract.

GRANTORS waive all rights with respect to the surface and no owner of the mineral estate shall ever have rights of ingress or egress except as may have been reserved by GRANTORS under the reservations and exceptions expressly listed in this deed or its predecessors in title.

GRANTORS, for the consideration and subject to the reservations from and exceptions to conveyance and warranty, GRANT, SELL, and CONVEY to GRANTEE the property, together with all and singular the rights and appurtenances thereto in any wise belonging, to have and hold it to GRANTEE and GRANTEE's successors and assigns forever. GRANTORS bind GRANTOR and GRANTORS' heirs, executors and administrators, to warrant and forever defend all and singular the property to GRANTEE and GRANTEE's successors and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof, except as to the reservations from and exceptions to conveyance and warranty.

When the context requires, singular nouns and pronouns include the plural.

_____
NAME

_____
NAME

THE STATE OF TEXAS)
) ACKNOWLEDGMENT
COUNTY OF BRAZOS)

This instrument was acknowledged before me on this the ____ day of _____, 2006, by _____.

_____
Notary Public in and for the State of Texas

o/Projects/Aggie Field of Honor/Kinman/gen war deed
CR:js 02/24/06

THE STATE OF TEXAS)
) ACKNOWLEDGMENT
COUNTY OF BRAZOS)

This instrument was acknowledged before me on this the ____ day of _____, 2006, by _____.

_____
Notary Public in and for the State of Texas

PREPARED IN THE OFFICE OF:
City of College Station
Legal Department
P. O. Box 9960
College Station, Texas 77842-9960

RETURN ORIGINAL DOCUMENT TO:
City of College Station
Legal Department
P. O. Box 9960
College Station, Texas 77842-9960

o/Projects/Aggie Field of Honor/Kinman/gen war deed
CR:js 02/24/06

March 9, 2006
Regular Agenda
UDO Annual Review of Housekeeping Items

To: **Glenn Brown, Interim City Manager**

From: **Joey Dunn, Director of Planning & Development Services**

Agenda Caption: **Public hearing, presentation, possible action, and discussion on consideration of an ordinance amending Chapter 12, "Unified Development Ordinance" (UDO) of the Code of Ordinances of the City of College Station, consisting of items considered to be ministerial in nature based on the 2005-2006 UDO Annual Review.**

Recommendation(s): **The Planning and Zoning Commission unanimously recommended approval on February 6, 2006. Staff also recommends approval of this item.**

Summary: **At the direction of the Planning & Zoning Commission at the January 5, 2006 meeting, the Annual Review of the UDO has been divided into several smaller amendments for consideration (refer to UDO adoption timeline, attached). The first of these is to correct items considered to be housekeeping in nature and not policy-related. A list of these proposed changes and the revised ordinance are attached for review.**

Budget & Financial Summary: **N/A**

Attachments:
1. Housekeeping Item List
2. UDO Adoption Timeline
3. Draft P&Z Minutes from Feb 2, 2006 Regular Meeting
4. Ordinance
5. Appendix I: Article 2
6. Appendix II: Article 3
7. Appendix III: Article 4
8. Appendix IV: Article 5
9. Appendix V: Article 6
10. Appendix VI: Article 7
11. Appendix VII: Article 11

2005 UDO ANNUAL REVIEW

HOUSEKEEPING ITEMS

Article 2 Development Review Bodies

- **Section 2.1.B.2 "Final Action" by the City Council to move "and", add semi-colons, include "annexations", and move a period.**

- **Section 2.2.B.1 "Number, Appointment" to capitalize "Texas Local Government Code" and correct a reference.**

- **Section 2.2.D.2 "Recommendations" by the Planning & Zoning Commission to move "and", add a semi-colon, include "annexations", and move a period.**

- **Section 2.2.D.3 "Final Action" by the Planning & Zoning Commission to include master plans and plats (of which the City Council has given them the authority to act upon), remove alternative building material requests (which has been the authority of the DRB since adoption of the NRA ordinance amendment), remove appeals to the Administrator's decision that master plans are not in compliance with the Comprehensive Plan (since an applicant may request a comprehensive plan amendment), add an appeal of the Administrator's denial of an alternative parking plan (as most requests have an appeal process), capitalize the reference to the Code of Ordinances, and move an "and".**

- **Section 2.2.E "Staff" to include Staff's ability to review ministerial acts approved by the Planning & Zoning Commission.**

- **Section 2.4.B "Membership and Terms" to capitalize the reference to the Open Meetings Act.**

- **Section 2.4.D "Powers and Duties" of the Design Review Board to change "and" to "any" and "appeals" to "waivers", remove the reference to "variance" (since those are the purview of the ZBA) and add "vary from", and include consideration and final action on appeals to non-residential architectural standards (to be consistent with the process described in Section 7.9 Non-Residential Architectural Standards).**

- **Section 2.4.E "Staff" to remove staff site plan review delegated by the Planning & Zoning Commission and to remove staff approval of minor changes to building and sign materials and colors previously approved by the Design Review Board (these statements are outdated and no longer necessary).**

- **Section 2.5.B.2 "Interpretation" to capitalize the reference to the Subdivision Regulations.**

- **Section 2.5.B.5 "Other Duties" to capitalize the reference to the Code of Ordinances.**

- **Section 2.7.A "Designation" to change the designator of the Development Engineer from the Administrator to the City Engineer as the engineering staff**

located within Planning & Development Services organizationally fall under Public Works.

- **Section 2.7.C "Powers and Duties" to remove a reference to the re-named TNRCC and capitalize a reference to a federal act.**

- **Section 2.8 "Summary of Review Authority" to add the procedures for master plans and development plats, replace "Appeal" with "Waivers", add waivers to non-residential architectural standards to the table, and remove the "Court" column. The information in the notation section of the table was shifted, but none of the information was changed.**

Article 3 Development Review Procedures

- **Section 3.1.C.3 "Fees" to replace "may" with "shall".**

- **Section 3.1.F.1 "Summary of Notice Required" to clarify that the variance application is that for the ZBA.**

- **Section 3.1.F.4 "Required Public Hearings" to clarify that the variance application is that for the ZBA and to capitalize the reference to the Local Government Code.**

- **Section 3.3 "Subdivision Plat Review" to remove references to being "formally" filed. There is no difference between being "filed" and being "formally filed".**

- **Section 3.3.A "Applicability" to capitalize a reference to the Local Government Code, remove an "or", add a semi-colon, and clarify that subdivision plat review includes those for replats and amending plats, move an exemption to platting for rights-of-way expansions and clarify that the exemption applies to all situations where a governmental entity has acquired land for public facilities, and clarify that extraterritorial jurisdiction is also referred to as "ETJ".**

- **Section 3.3.C "Filing of Plat and Application" to replace "in" with "on" and clarify that variance requests are for those platting items which do not meet the code.**

- **Section 3.3.F "Application" to update references to a "Master Development Plan" to "Master Plan".**

- **Section 3.3.G.3 "Review and Recommendation by Parks and Recreation Board" to correctly reference the Parks and Recreation Advisory Board.**

- **Section 3.3.G.4 "Review and Action by Planning and Zoning Commission" to clarify that development plats are subject to the City's plans, rules, and ordinances regarding the infrastructure listed; are subject to the ordinances and regulations regarding rights-of-way; to clarify the "roads" also means streets and highways with the City and its ETJ; to clarify that that development plats are subject to any other applicable plans, rules, or ordinances of the City; and to move an "and", delete a period, and add a semi-colon.**

- **Section 3.3.H "Minor Subdivision Plat Review" to clarify that amending plats are reviewed the same as minor plats.**

- **Section 3.3.H.2 “Review and Action by the Administrator” to clarify that amending plats are reviewed the same as minor plats and that tax certificates have to be current.**

- **Section 3.3.H.3 “Recordation” to clarify that minor or amending plats shall be recorded with the Brazos County Clerk.**

- **Section 3.3.I.1.a “Applicability” to rearrange the section for ease of comprehension.**

- **Section 3.3.I.1.d “Review and Action by Planning and Zoning Commission” to add “out”.**

- **Section 3.3.I.2.d “Review and Recommendation by Parks and Recreation Board” to correctly reference the Parks and Recreation Advisory Board and clarify that the plat (and subsequent plats) may proceed to the P&Z.**

- **3.3.I.3.c “Review and Action by Planning and Zoning Commission” to clarify that current tax certificates are required.**

- **Section 3.3.I.d “Recordation” clarify that final plats shall be recorded with the Brazos County Clerk.**

- **Section 3.4.C.1 “Preapplication Conference” to replace “an” with “the” and “avail himself of” with “meet, confer with, and receive”.**

- **Section 3.4.C.2 “Review and Report by the Parks and Recreation Board” to correctly reference the Parks and Recreation Advisory Board.**

- **Section 3.4.C.3 “Review and Report by the Greenways Program Manager” to add “dedication” and replace “voluntary greenway dedication or sale” with “greenway dedication or voluntary sale”.**

- **Section 3.4.D. “Concept Plan Requirements” to replace “future” with “proposed”.**

- **Section 3.4.H “Owners Association Required” to make “owners” possessive.**

- **Section 3.5.C “Application Requirements” to include non-residential architectural standards information as submittal requirements for site plans, when applicable.**

- **Section 3.5.F “Appeal” to replace “may” with “shall”, clarify that reasonable conditions shall be site-related, and move the comment regarding when the Administrator’s decision shall be final.**

- **Section 3.5.G.”Expiration of Approval” to clarify that the expiration of approval is from the effective date of the UDO or subsequent amendments, add “(12)”, change “approval is granted” to “is approved”, capitalize Certificate of Occupancy, and provide a time consistent with the Building Code for the extension a site plan approval.**

- **Section 3.6.A.1 “Design Districts” to add “the” and remove solid waste changes (which are included in Section 3.6.D “Design District Minor Additions Approval Process”).**

- **Section 3.6.A.2 “Design District Site Plan Review Required” to remove examples of “minor additions” as minor additions are defined in Section 3.6.D.**

- **Section 3.6.B “Application Requirements” to remove a period.**

- **Section 3.6.C “Design District Minor Additions Approval Process” to correctly identify the section as related to the site plan approval process as compared to the minor additions site plan approval process.**

- **Section 3.6.D “Design District Minor Additions Approval Process” to define minor additions.**

- **Section 3.6.D.1 “Review by the Administrator” to replace “a minor addition” with “minor additions”.**

- **Section 3.6.F “Additional Review Criteria for WPC Districts” to replace “WPC Districts” with “the WPC District”.**

- **Section 3.7.A “Applicability” to remove examples of minor additions and define minor additions.**

- **Section 3.7.D “Expiration and Lapse of Approval” to replace “12” with “twelve (12)” and capitalize “certificate of occupancy”.**

- **Section 3.8.A “Applicability” to replace “shall be” with “are”.**

- **Section 3.8.C “Expiration of Approval” to more succinctly state how long a development permit within an area of special flood hazard is valid.**

- **Section 3.9.A “Building Permit Required” to clarify that permits are also required for repairs, demolitions, or when occupancy is changed. Also to identify the applicable building code, capitalize the reference to the code, and correctly identify the Construction Board of Adjustments and Appeals.**

- **Section 3.9.B “Application for Building Permit” to change the submittal requirement of two site plans to one site plan for single-family, duplex, or townhouses; to replace “...after he shall have marked such copy either approved...” with “...after it is marked as wither approved...”; and include non-residential architectural standards information as submittal requirements for building permits, when applicable.**

- **Section 3.9.D “Review and Action by the Building Official” to capitalize “building code”.**

- **Section 3.10.A “Applicability” to capitalize “certificate of occupancy”, add a semi-colon; move “or”, clarify that Certificates of Occupancy are required when dictated by the 2003 International Building Code, and capitalize the reference to the code.**

- **Section 3.10.B “Application” to clarify that a formal application is not made for a Certificate of Occupancy, but that it is issued after the required successful building inspections have been made.**

- **Section 3.10.C "Review and Recommendation" deleted as there is not a formal application process for a Certificate of Occupancy.**

- **Section 3.10.C "Review and Action by Building Official" to change the filing of an application for a Certificate of Occupancy to a request, correctly reference the building code, and capitalize the building code reference and "certificate of occupancy".**

- **Section 3.10.D "Temporary Certificate of Occupancy" to remove "permanent", capitalize "certificate of occupancy" and "temporary certificate of occupancy", clarify that the Building Official issues the certificates, clarify that a temporary Certificate of Occupancy can be issued as provided in the building code, and capitalize the reference to the building code.**

- **Section 3.10.E "Unlawful to Occupy Without Valid Certificate of Occupancy" to change "valid" to "validly issued" and capitalize "certificate of occupancy" and "temporary certificate of occupancy".**

- **Section 3.11.A "Applicability" to move "or", delete a semi-colon, and remove the applicability of Certificates of Completion as determined by the building code.**

- **Section 3.11.B "Application" to clarify that a formal application is not made for a Certificate of Completion, but is issued after the required successful building inspections have been made.**

- **Section 3.11.C "Review and Recommendation" deleted as there is not a formal application process for a Certificate of Completion.**

- **Section 3.11.C "Review and Action by Building Official" to change the filing of an application for a Certificate of Completion to a request, remove the applicability of a Certificate of Completion for a land use, correctly reference the building code, and capitalize the building code reference and "certificate of completion".**

- **Section 3.11.D "Temporary Certificate of Completion" to remove "permanent", capitalize "certificate of completion" and "temporary certificate of completion", clarify that the Building Official issues the certificates, and clarify that a temporary Certificate of Occupancy can be issued when the Building Official determines compliance with approved development plans.**

- **Section 3.11.E "Unlawful to Occupy Without Valid Certificate of Completion" to remove references to occupying a structure, include references to utilizing a structure, change "valid" to "validly issued" and capitalize "certificate of completion" and "temporary certificate of completion".**

- **Section 3.15.B "Applicability" to replace "10 percent" with "ten percent (10%)".**

- **Section 3.16.B "Applicability" to replace "10 percent" with "ten percent (10%)".**

- **Section 3.17.A "Applicability" to rearrange the section for clarity and capitalize "building permit".**

Article 4 Zoning Districts

- **Section 4.1 “Establishment of Districts” to include the existing Krenek Tap Overlay in the summary table of districts.**

- **Section 4.5.B “Newly Annexed Territory” to capitalize the beginning of all outline items at the a., b., b., etc. level and to capitalize the reference to the Local Government Code.**

Article 5 District Purpose Statements and Supplemental Standards

- **Section 5.5.B “Planned Mixed-Use District (P-MUD)” to include areas shown on the Land Use Plan as Planned Development or Redevelopment as appropriate areas to be considered for P-MUD zoning (to be consistent with the verbage in the Comprehensive Plan).**

- **Section 5.6.A.4 “Lighting” to remove lighting restrictions in the Wolf Pen Creek district that are redundant with Section 7.11.A “Site Lighting Design Requirements”.**

- **Section 5.6.A.6 “Relationship of Buildings to Site” to remove vague building siting requirements in the Wolf Pen Creek district and remove setback requirements that are in conflict with Section 5.7 “Design District Dimensional Standards”.**

- **Section 5.8.A.1 “Setbacks” to clarify that the “parking area” includes drive aisles.**

- **Section 5.8.A.2 “Signs” to remove a restriction that is redundant with Section 7.4 “Signs”.**

- **Section 5.8.A.4.b “Signs” to remove a comma and a standard that may come into conflict with Section 7.4.I “Attached Signs”.**

Article 6 Use Regulations

- **Section 6.2.C “Use Table” to allow commercial daycares as permitted uses in P-MUDs and to allow unregulated wireless telecommunication facilities as permitted uses in all Northgate districts (since they are unregulated).**

- **Section 6.3.K “Manufactured Homes” to move an “and”, delete a semi-colon, and remove delivery route information from the requirements for a manufactured home Location Permit as it is already required for a Building Permit (Moving).**

- **Section 6.3.P.2 “Permitted Locations” to remove the “a” and “(1)” levels of the outline form since there is no “b” or “(2)”.**

- **Section 6.3.T.5 “Landscaping, Screening, and Aesthetic Standards” to replace “2 meters” with “two (2) meters” and “screen” with “screens”.**

- **Section 6.3.T.8 “Application Procedures” to replace “1 mile” with “one (1) mile”, “development department” with “Planning and Development Services”, “zoning administrator” with “Administrator”, “four views” with “four (4) views”, “80” with “eighty (80)”, and “5” with “five (5)”. Also to correct the reference to a section of the UDO.**

- **Section 6.3.T.10 “Documentation of Need and Alternatives” to add “(1/2)”.**

- **Section 6.3.U “Places of Worship” to remove a sign regulation that is redundant with Section 7.4.W “Signs for Permitted Non-Residential Uses in Residential or Agricultural Districts”.**

- **Section 6.5.A “Particular Temporary Uses Permitted” to remove the wording “Temporary Concrete Products” to be consistent with the format of the section.**

Article 7 General Development Standards

- **Section 7.1.B “Minimum Requirements” to capitalize the reference to the Code of Ordinances.**

- **Section 7.1.D.3 “Features Allowed Within Required Yards” to change “Uncovered swimming pools and hot tubs” to “Swimming pools and hot tubs without shelter”.**

- **Section 7.1.E “More Than One Principal Structure on a Lot or Parcel” to remove redundancies regarding building plot and restructure the sentence.**

- **Section 7.1.H “Height” to restructure the section for clarity and add “the”.**

- **Section 7.2.A “Purpose” to replace “spaces” with “areas”.**

- **Section 7.2.C “Dimensions and Access” to replace “9 feet by 20 feet” with “nine by twenty feet (9’ x 20’)”, “four-feet” with “four feet (4’)”, “15 feet” with “fifteen feet (15’)”, “seven” with “seven (7)”, “18 foot by 20 foot” with “eighteen- by twenty-foot (18’ x 20’)”, and “6 feet” with “six feet (6’)” and clarify that drive aisles must meet a minimum setback from a right-of-way.**

- **Section 7.2.E “Interior Islands” to add “(15)”.**

- **Section 7.3.C.2 “Location of Driveway Access” to delete “or his designee” as Section 2.7.B “Responsibility” already gives the Development Engineer’s designee the ability to implement provisions of the UDO.**

- **Section 7.3.C.3 “Spacing of Driveway Access” to remove unnecessary quotation marks.**

- **Section 7.3.C.7 “Geometric Design of Driveway Access” to replace “two and one-half feet and 10 feet as shown in the figure below” with “two and one-half feet and ten feet (2.5’-10’) as shown above”, “20 feet and 30 feet” with “twenty feet and thirty feet (20’-30’)”, “28 feet” with “twenty-eight feet (28’), and “10 feet” with “ten feet (10’)”.**

- **Section 7.4.E “Exempt Signs” to replace semi-colons with periods.**

- **Section 7.4.F “Sign Standards” to correct a reference.**

- **Section 7.4.H “Apartment/Condominium/Manufactured Home Park Identification Signs” to replace semi-colons with periods.**

- **Section 7.4.M.1.d “Allowable Height” to consistently format the section.**

- **Section 7.4.M.7.b (Freestanding Signs) to rewrite the section for clarity.**

- **Section 7.4.M.10 (Freestanding Signs) to correct references.**

- **Section 7.4.O "Grand Opening Signs" to add a comma.**

- **Section 7.4.P "Home Occupation Signs" to consistently format the section, replace semi-colons with periods, and remove "and".**

- **Section 7.4.Q "Non-Commercial and Political Signs" to add an "and".**

- **Section 7.4.T "Special Event Signs" to clarify that signs (including commercial banners and balloons) may be used for special events and replace "Sign" with "Signage".**

- **Section 7.4.X "Abandoned, Damaged, or Unsafe Signs" to replace semi-colons with periods and remove "and".**

- **Section 7.7.C "Minimum Requirements" to add "(16)", replace "10 feet deep x 10 feet wide" with "ten feet deep by ten feet wide (10' x 10')", "12 feet deep x 12 feet wide" with "twelve feet deep by twelve feet wide (12' x 12')", "12 feet deep x 24 feet wide" with "twelve feet deep by twenty-four feet wide (12' x 24')", add "(6")" and "(6')", and remove "under".**

- **Section 7.10.B "Specific Lighting Requirements" to remove site lighting restrictions that are redundant with Section 7.11.A "Site Lighting Design Requirements" and remove a section name for consistency in formatting.**

- **Section 7.11.B.3 "Temporary Outdoor Sales and Storage" to clarify that time limitations are per calendar year.**

Article 11 Definitions

- **Section 11.2 "Defined Terms" to more accurately define Development Engineer, sign—commercial banner, and substantial improvement and add definitions for drip molding, façade, parking—overflow, portable storage, quoin, restaurant – casual dining, restaurant – fine dining, roof types, sitwall, and stringcourse.**

PROPOSED UDO ANNUAL REVIEW TIMELINE

PLANNING & ZONING COMMISSION	CITY COUNCIL	PLANNER
February 2	**February 9**	
Workshop item: Northgate Ordinance		MH
Parking ratios		LB
	March 9	
Housekeeping items		MH / JD
February 16		
March 2	**March 23**	
Northgate Ordinance		JD / KF
Signage		LB / LS
Community spirit signs		
Banner exceptions for HOAs and non-profits		
Freestanding sign locations		
Non-commercial and political sign regulations		
Required sign removal		
March 16	**May 25**	
Non-residential architectural standards		JP
Non-residential dimensional standards*		CH
Definitions		CH
Building plot		
Clinic*		
Hospital or sanitarium*		
April 6	**May 25**	
Appeals to the Administrator		JR
Site design standards		
Administrative adjustments		
Site Design Standards references		JP
Curbing		
Surfacing		
Geometric Design of Driveway Access		JP
Building permits and setbacks*		TF
Porches in setbacks*		TF
Solid waste standards		TF
April 20	**May 25**	
Change to alternative parking option		KF
Drive-thru requirements*		KF
Traffic impact analyses		KF
May 4	**May 25**	
Land Use issues		TF
Limited mix of uses in PDDs*		
WTF requirements		
Portable storage structures*		
Farmer's markets		

* Items that may be considered at a later date.

3/2/06 3:26 PM

MINUTES
Regular Meeting
Planning and Zoning Commission
Thursday, February 2, 2006, at 7:00 p.m.
Council Chambers, College Station City Hall
1101 Texas Avenue
College Station, Texas

CITY OF COLLEGE STATION
Planning & Development Services

DRAFT

COMMISSIONERS PRESENT: Chairman Scott Shafer, Commissioners Harold Strong, Ken Reynolds, Bill Davis, Dennis Christiansen, John Nichols and Marsha Sanford.

STAFF PRESENT: Director, Joey Dunn, Transportation Planner, Ken Fogle, Assistant City Engineer, Alan Gibbs, Planning Administrator, Molly Hitchcock, Assistant Director, Lance Simms, Graduate Civil Engineers Carol Cotter and Josh Norton, Senior Planners Trey Fletcher and Jennifer Prochazka, Staff Planners Lindsay Boyer, Crissy Hartl, and Jennifer Reeves, Staff Assistant, Lisa Lindgren and Jessica Kramer.

OTHER CITY STAFF PRESENT: First City Attorney, Carla Robinson and OTIS, Bryan Cook.

CITY COUNCIL MEMBERS PRESENT: Councilman Ron Gay.

1. Call meeting to order.

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

9. Public hearing, presentation, possible action, and discussion on an Ordinance Amendment of the Unified Development Ordinance consisting of items considered to be ministerial in nature based on the Unified Development Ordinance Annual Review. **Case #05-500023 (MH)**

   Molly Hitchcock, Planning Administrator, presented the item. The items presented were truly "housekeeping" items. Ms. Hitchcock stated that it was staff's hope that this could be approved and presented to the City Council. She stated that she had received no phone calls regarding this portion of the updates.

   Commissioner Davis motioned for approval of the item presented by staff. Commissioner Christiansen seconded the motion, motion passed (7-0).

ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 12, "UNIFIED DEVELOPMENT ORDINANCE," OF THE CODE OF ORDINANCES OF THE CITY OF COLLEGE STATION, TEXAS, BY AMENDING CERTAIN SECTIONS AS SET OUT BELOW; PROVIDING A SEVERABILITY CLAUSE; DECLARING A PENALTY; AND PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF COLLEGE STATION, TEXAS:

PART 1: That Chapter 12, "Unified Development Ordinance," of the Code of Ordinances of the City of College Station, Texas, be amended as set out in Exhibit "A", attached hereto and made a part of this ordinance for all purposes.

PART 2: That if any provisions of any section of this ordinance shall be held to be void or unconstitutional, such holding shall in no way effect the validity of the remaining provisions or sections of this ordinance, which shall remain in full force and effect.

PART 3: That any person, firm, or corporation violating any of the provisions of this chapter shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punishable by a fine of not less than Twenty-five Dollars ($25.00) nor more than Two Thousand Dollars ($2,000.00). Each day such violation shall continue or be permitted to continue, shall be deemed a separate offense. Said Ordinance, being a penal ordinance, becomes effective ten (10) days after its date of passage by the City Council, as provided by Section 34 of the Charter of the City of College Station.

PASSED, ADOPTED and APPROVED this _____ day of _____, 2006.

APPROVED:

_____
RON SILVIA, Mayor

ATTEST:

_____
Connie Hooks, City Secretary

APPROVED:

E-Signed by Carla A. Robinson
VERIFY authenticity with Approvefit

_____
City Attorney

EXHIBIT "A"

That Chapter 12, "Unified Development Ordinance," of the Code of Ordinances of the City of College Station, Texas, is hereby amended by amending Articles 2, 3, 4, 5, 6, 7 and 11 in their entirety to read as set out in Appendices I through VII attached hereto.

APPENDIX I

Article 2. Development Review Bodies

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), and Design Review Board (DRB).

2. Final Action

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

Development agreements and oversize participation agreements for City participation in cost-sharing of infrastructure improvements;

Conditional use permits;

Zoning map amendments (rezoning);

Text amendments;

Comprehensive Plan amendments;

Impact fee land use decisions and Capital Improvement Plan (CIP) priorities; and

Annexations.

2.2 Planning and Zoning Commission

A. Creation

The City Council shall provide for the appointment of a Planning and Zoning Commission and the regulations and restrictions adopted shall be pursuant to the provisions of applicable statutory requirements of the State of Texas.

B. Membership and Terms

1. Number, Appointment

A Planning and Zoning Commission is hereby created to consist of seven members. An ad hoc member shall be appointed to review impact fee land use assumptions in accordance with § 395 of the TEXAS LOCAL GOVERNMENT CODE. Members shall be residents of the City and eligible voters.

2. Terms

Terms of members of the Planning and Zoning Commission shall be for two years or until their successors are appointed. Four members shall be appointed in even-numbered years and three members shall be appointed in odd-numbered years.

3. Term Limits

Terms of office shall be limited to three (3) consecutive two-year terms or seven (7) consecutive years.

4. Vacancies

Vacancies shall be filled by the City Council for the unexpired term of any member whose position becomes vacant.

C. Officers, Meetings, Quorum

1. Officers

A Chairperson shall be appointed annually by the City Council. The Planning and Zoning Commission shall select a Vice-Chair from among its members as needed.

2. Meetings

Members of the Planning and Zoning Commission shall meet regularly and the Chairperson shall designate the time and place of such meetings. All meetings of the Commission where a quorum is present shall be open to the public.

3. Quorum

Four (4) members shall constitute a quorum for the transaction of any business. Any recommendation advanced to the City Council without a majority of positive votes from those members present shall be deemed a negative report.

4. Rules of Proceeding

The Planning and Zoning Commission shall adopt its own rules of procedure.

5. Minutes

The Planning and Zoning Commission shall keep minutes of its proceedings, showing the vote of each member upon each question, or, if absent or failing to vote, indicating that fact and shall keep records of its examinations and other official actions, all of which shall be immediately filed in the office of the Administrator and shall be a public record.

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:

Conditional use permits;

Zoning map amendments (rezoning);

Text amendments;

Comprehensive Plan amendments;

Impact fee land use decisions;

Capital Improvement Plan (CIP) priorities; and

Annexations.

3. Final Action

The Planning and Zoning Commission shall hear and take final action on the following:

Applicable appeals of decisions of the Design Review Board;

Master plans;

Preliminary and final plats, replats, development plats, and minor plats not approved by staff under Section 3.3.H Minor Subdivision Plat Review herein;

Waivers of the standards in Article 8, Subdivision Design and Improvements;

Appeal of the Administrator's denial of a final minor or amending plat;

Appeal of the Administrator's denial of an alternative parking plan; and

Appeal of the Administrator's interpretation of the provisions of CHAPTER 9, SUBDIVISION REGULATIONS, OF THE CITY OF COLLEGE STATION CODE OF ORDINANCES.

E. Staff

1. The Administrator shall provide staff, as needed, to the Planning and Zoning Commission.

2. Where ministerial acts have not been completed, the staff shall insure that the changes to plats are completed as approved by the Planning and Zoning Commission.

2.3 Zoning Board of Adjustment

A. Creation

The City Council shall provide for the appointment of a Zoning Board of Adjustment (ZBA) and the regulations and restrictions adopted shall be pursuant to the provisions of applicable statutory requirements of the State of Texas.

B. Membership and Terms

1. Number, Appointment

The Zoning Board of Adjustment shall consist of five members who are residents of the City and eligible voters. Appointment of members shall be made by the City Council. The City Council may provide for the appointment of four alternate members of the Board of Adjustment who shall serve in the absence of one or more regular members when requested to do so.

2. Terms

Each member of the Zoning Board of Adjustment shall be appointed for a term of two years, except that two members appointed initially shall have terms of only one year. After the initial appointments, two members shall be appointed in odd-numbered years to maintain a membership of five members. Any alternate members appointed shall serve for the same period as the regular members and any vacancies shall be filled in the same manner as the regular members.

3. Vacancies

Vacancies shall be filled by the City Council for the unexpired term of any member whose term becomes vacant.

C. Officers, Meetings, Quorum

1. Officers

A Chairperson shall be appointed annually by the City Council. The ZBA shall select a Vice-Chair from among its members as needed.

2. Meetings

Meetings of the Zoning Board of Adjustment shall be held at the call of the Chairperson and at such other times as the Board may determine. Such Chairperson, or in his absence the acting Chairperson, may administer oaths and compel the attendance of witnesses. All meetings of the Board where a quorum is present shall be open to the public.

3. Quorum

All cases heard by the Zoning Board of Adjustment will always be heard by a minimum number of four members. Four members shall constitute a quorum for transaction of business and no variance or appeal shall be granted without a concurring vote of four members.

4. Rules of Proceeding

The Zoning Board of Adjustment shall adopt its own rules of procedure.

5. Minutes

The Zoning Board of Adjustment shall keep minutes of its proceedings, indicating the vote of each member on each question or the fact that a member is absent or fails to vote, and shall keep records of its examinations and other official actions. The minutes and records shall be filed in the office of the Administrator and shall be a public record.

D. Powers and Duties

The Zoning Board of Adjustment shall have the following powers and duties:

1. Variances

To hear and decide requests for variance from the setback, parking number or dimensions, parking island number or dimensions, sign (excluding sign regulations in the ETJ), maximum height, or lot size or dimension requirements of this UDO. Also, to hear and decide drainage variances (excluding landscaping provisions) when strict application of the provisions of the ordinance would result in unnecessary hardship.

Specifically excluded from the variance process are requests for relief from a site plan requirement imposed by the Administrator when the requirement was necessary to gain compliance with the criteria for approval of a site plan in Section 3.5.E, Site Plan Review Criteria. Such requests will be heard and decided by the Design Review Board.

Also excluded are roadway and infrastructure construction criteria and other subdivision regulations contained with Article 8, Subdivision Design and Improvements. Such requests shall require waivers granted by the Planning and Zoning Commission.

2. Administrative Appeals

To hear and decide appeals where it is alleged there is error in any order, requirement, decision, interpretation, or determination made by the Administrator or his designee in the enforcement of this UDO.

3. Official Zoning Map

To interpret the intent of the Official Zoning Map where uncertainty exists because the physical features on the ground vary from those on the Official Zoning Map.

E. Staff

The Administrator shall provide staff, as needed, to the Zoning Board of Adjustment.

2.4 Design Review Board

A. Creation

A Design Review Board is hereby established by the City of College Station for the purpose of enhancing the City's ability to review sign, building, and site design issues, including architectural issues as specified in this UDO, by bringing expertise from the community to bear on these issues in designated design districts.

B. Membership and Terms

1. The Design Review Board shall consist of seven regular members and two alternate members. Six of the regular members and the two alternate members shall be appointed by the City Council. City Council shall appoint the following to the Design Review Board:

Registered architect

Business person

Landscape architect

Developer or land owner in a design district

Person knowledgeable in aesthetic judgment

Citizen-at-large

Of the members listed above, at least two shall be owners of property or a business within a design district, a resident within a design district, or an individual employed within a design district.
The seventh regular member shall be the Chairman of the Planning and Zoning Commission or his designee.

2. Members shall be appointed for two-year terms.

3. The Design Review Board is a governmental body and shall comply with the OPEN MEETINGS ACT.

C. Officers, Meetings, Quorum

1. Officers

A Chairperson shall be appointed annually by the City Council. The Board shall select a Vice-Chair from among its members as needed.

2. Meetings

Members of the Design Review Board shall meet regularly and the Chairperson shall designate the time and place of such meetings. All meetings of the Board where a quorum is present shall be open to the public.

3. Quorum

Four members shall constitute a quorum for the transaction of any business. Any recommendation or decision which does not receive a majority of positive votes from those members present shall be deemed a negative report.

4. Rules of Proceeding

The Design Review Board shall adopt its own rules of procedure.

5. Minutes

The Design Review Board shall keep minutes of its proceedings, showing the vote, indicating such fact, and shall keep records of its examinations and other official actions, all of which shall be immediately filed in the office of the Administrator and shall be a public record.

D. Powers and Duties

The Design Review Board has the following powers and duties:

1. Site and Concept Plans

The Design Review Board shall hear and take final action on design district site plans and concept plans for Planned Development Districts (PDD) and Planned Mixed-Use Districts (P-MUD).

2. Design District and Overlay District Review

The Design Review Board shall approve or deny any sign materials and colors in any designated design district, and shall approve or deny all alternate building or fence materials and fence height in the Krenek Overlay District, as specified within this UDO.

3. Northgate and Wolf Pen Creek Parking Waivers

The Design Review Board shall hear and decide requests to vary from the amount of required parking in the Wolf Pen Creek (WPC) and Northgate (NG) districts.

4. Driveway Appeals

The Design Review Board shall hear appeals to decisions of the Development Engineer regarding driveway appeals.

5. Appeal of Requirement Based on Site Plan Review Criteria

The Design Review Board shall hear and decide appeals of the Administrator's application of site plan requirements to assure compliance with Section 3.5.E, Site Plan Review Criteria.

6. Buffer Appeals

The Design Review Board shall hear appeals of buffer requirements listed in Section 7.6, Buffer Requirements.

7. Non-Residential Architectural Standards Appeals

The Design Review Board shall hear and decide alternate building materials, colors, required screening, architectural relief elements, and parking lot concepts for non-residential structures, as specified in Section 7.10, Non-Residential Architectural Standards.

E. Staff

The Administrator shall provide staff, as needed, to the Design Review Board.

2.5 Administrator

A. Designation

The City Manager shall designate the Administrator for the City of College Station. Where this UDO assigns a responsibility, power, or duty to the Administrator, the Administrator may delegate that responsibility, power, or duty to any other agent or employee of the City whom the Administrator may reasonably determine.

B. Powers and Duties

The Administrator shall have the following powers and duties:

1. Administration and Enforcement

The Administrator shall administer and enforce the provisions of this UDO.

2. Interpretation

The Administrator is responsible for interpreting the provisions of this UDO and the provisions of CHAPTER 9 OF THE CITY OF COLLEGE STATION CODE OF ORDINANCES (SUBDIVISION REGULATIONS). The Administrator shall make written interpretations of this UDO and SUBDIVISION REGULATIONS, when requested, setting forth the reasons and explanation therefore.

3. Building Permits

The Administrator shall review and certify that the proposed construction, moving, alteration, or use of the land either does or does not comply with the provisions of this UDO prior to issuance of a Building Permit by the Building Official.

4. Final Action

The Administrator shall review and take final action on the following:

Sign permits;
Site plans (not Design District site plans);
Administrative adjustments;
Minor and amending plats;
Determination of building plot (Section 7.1, General Provisions);
Minor design district projects;
Alternative parking plans (Section 7.2, Off-Street Parking).

5. Other Duties

The Administrator shall perform other duties imposed under the provisions of the COLLEGE STATION CITY CODE OF ORDINANCES, as amended from time-to-time.

2.6 Building Official

A. Designation

The Administrator shall designate the Building Official for the City of College Station. The Building Official may delegate that responsibility, power, or duty to any other agent or employee of the City whom the Building Official may reasonably determine.

B. Powers and Duties

The Building Official shall have the following powers and duties:

1. Building Inspections

The Building Official shall have the power to conduct inspections of buildings and premises to carry out his duties herein and to determine compliance with the provisions of this UDO.

2. Building Permits

The Building Official shall issue Building Permits.

3. Certificate of Occupancy

The Building Official shall issue Certificates of Occupancy.

4. Certificates of Completion

The Building Official shall issue Certificates of Completion.

2.7 Development Engineer

A. Designation

The City Engineer shall designate the Development Engineer for the City of College Station.

B. Responsibility

The Development Engineer, or his designee, shall implement, administer, and oversee the provisions, terms, and conditions of all engineering and flood hazard protection requirements within this UDO. The Development Engineer may delegate that responsibility, power, or duty to any other agent or employee of the City whom the Development Engineer may reasonably determine.

C. Powers and Duties

The Development Engineer has the following powers and duties in regard to engineering requirements and flood hazard protection:

1. Review and approve, approve with conditions, or deny driveway applications;

2. Maintain and hold open for public inspection all records pertaining to the provisions of the flood hazard protection regulations;

3. Review and approve, approve with conditions, or deny all applications for development permits;

4. Assure that adequate inspection of construction permitted under the terms and provisions of this UDO are carried out in accordance with the permitted plan;

5. Maintain, update, and provide to interested parties at a reasonable cost the effective City Drainage Policy and Design Standards/Engineering Standards Manual;

6. Assure that adequate maintenance of drainage pathways, including altered or relocated waterways, is provided such that capacity for carrying stormwater flows is maintained;

7. Provide interpretation, where required, of boundaries of Areas of Special Flood Hazard, location of floodway, and water surface elevations, when disputes arise during review;

8. Provide information to the Zoning Board of Adjustment, Municipal Court, or City Council, as

applicable on all variance requests, administrative appeals, enforcement actions, and proposed amendments to the Drainage Policy and Design Standards as required;

9. **Review and utilize any acceptable new flood study data in accordance with the Drainage Policy and Design Standards;**

10. **Notify adjacent communities and the Texas Commission on Environmental Quality (TCEQ), prior to any alteration or relocation of a watercourse, and submit evidence of notification to the Federal Insurance Administration;**

11. **Review and make recommendations to the City Council concerning Development Agreements;**

12. **Interpret the terms and provisions of Section 7.8, Drainage and Stormwater Management, as required, as they apply to each project, in accordance with the stated purpose of that Section;**

13. **Review permits for proposed development to ensure that all necessary permits have been obtained from those Federal, State, or local governmental agencies (including Section 404 of the Federal Water Pollution Control Act Amendments of 1972, 33 U.S.C. 1334) from which prior approval is required; and**

14. **Review and approve or deny alternative materials or standards for site construction.**

2.8 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.	Admini-strator	Buidling Official	Dev. Eng.
CITY COUNCIL							
Oversize Participation	D						R
Development Agreement	D				RR		R
Conditional Use permit	D	R			RR		
Zoning Map Amendment	D	R			RR		
Text Amendment	D	R			RR		
Comp. Plan Amendment	D	R			RR		
Impact Fee/CIP Priorities	D	R					
PLANNING & ZONING COMMISSION							
Master Plans		D			RR		R
Preliminary Plat		D			RR		R
Final Plat		D			RR		R
Development Plat		D			RR		R
Waiver of Subdivision Standard		D			RR		R
Alternative Arch. Material		D			R		
ZONING BOARD OF ADJUSTMENT							
Variance			D		RR	RR	RR
Administrative Appeal			D		R		
Zoning Map Interpretation			D		R		
DESIGN REVIEW BOARD							
Design District Site Plan		A		D	R		
PDD/P-MUD Concept Plan		A		D	R		
Design District Building/Sign Review		A		D	R		
NG & WPC Parking Waivers		A		D	R		
Non-Residential Architectural Standards Waiver				D	RR		
ADMINISTRATOR							
Interpretation		A**	A		D		
Sign Permit			A		D		
Site Plan		A		A*	D		
Administrative Adjustment			A		D		
Design District Building. Or Sign, Minor			A		D		
Minor or Amending Plat		A			D		R
PD Concept Plan Minor Amend.		A			D		
Alternative Parking Plans		A			D		R
BUILDING OFFICIAL							
Building Permit						D	
Certificate of Occupancy					R	D	
Certificate of Completion					R	D	R
DEVELOPMENT ENGINEER							
Development Permit							D
Driveway Application				A			D
Alternative Const. Material				A			D

*Section 3.5.E Site Plan Review Criteria and 3.6.E Wolf Pen Creek Design Distridt General Site Plan Review Criteria only.
**Subdivision Regulations only.
KEY: D=Final Action/Decision A=Appeal R=Recommend RR=Review/Report "

APPENDIX II

Article 3. Development Review Procedures

3.1 General Approval Procedures

A. Conformity with Unified Development Ordinance (UDO) and the Comprehensive Plan

The provisions of this UDO and the Comprehensive Plan shall apply to and be binding on any and all persons, firms, or corporations who singly or jointly seek to develop, redevelop, or otherwise change existing land within the corporate limits of the City of College Station and, where applicable, its extraterritorial jurisdiction (ETJ). Compliance with the UDO and the Comprehensive Plan includes the dedication and construction of identified infrastructure, right-of-way or improvement of specified facilities including but not limited to sidewalks, bikeways, thoroughfares, etc.

B. Preapplication Conference

Prior to the submission of an application required by this UDO, a preapplication conference with the Development Staff may be required. Preapplication Conferences with Development Staff are to discuss, in general, procedures, standards, or regulations relating to development. The Preapplication Conference is not considered a "permit" and does not vest a proposal.

1. **Mandatory Conference**

   A mandatory Preapplication Conference with the Development Staff shall be required for:

   a. Development permits with areas of special flood hazard;

   b. Design district site plans;

   c. Development plats;

   d. Master Plans;

   e. Conditional use permits;

   f. Zoning map amendments (rezonings); and

   g. Concept plans (PDD and P-MUD zoned properties).

   Upon consideration of the proposal, the Administrator may waive the requirement for a mandatory Preapplication Conference.

2. **Optional Conference**

   A Preapplication Conference is optional for all other applications. Applicants are encouraged to schedule and attend an optional Preapplication Conference with the Development Staff prior to submitting any application.

3. **Submittal Requirements**

   The Administrator may require the applicant to submit information prior to the Preapplication Conference to allow staff time to review the proposal.

C. Application Forms and Fees

The following regulations shall apply to all applications:

1. **Forms**

   Applications required under this UDO shall be submitted on forms, with any requested information and attachments, and in such numbers, as required by the City, including any checklists for submittals. The Administrator shall have the authority to request any other pertinent information required to ensure compliance with this UDO.

2. **Electronic Submission Required**

   All plats and site plans shall be prepared and submitted upon request in an electronic form acceptable to the Administrator and compatible with the City's Geographic Information System (GIS).

3. **Fees**

   a. Filing fees shall be established from time-to-time by resolution of the City Council for the purpose of defraying the actual cost of processing the application.

   b. All required fees shall be made payable to "The City of College Station."

c. An applicant who has paid the appropriate fee pursuant to submission of an application, but who chooses to withdraw such application prior to any notification, review, or action taken, shall be entitled to a refund of 50 percent of the total amount paid upon written request to the City. The filing fee required for text or map amendments shall not be refundable.

d. The Administrator may waive or reduce development-related fees on a case-by-case basis. The following criteria shall be used by the Administrator to evaluate such requests:

1) The applicant is not financially able to pay the fees.

2) The City is requesting a change to the approved plat.

D. Application Deadline

All applications shall be completed and submitted to the Administrator in accordance with a schedule established annually by the City. An application shall not be considered officially submitted until it has been determined to be complete in accordance with the following paragraph.

E. Application Completeness

An application shall be considered submitted only after the Administrator has determined it is complete, if it is provided in the required form, includes all mandatory information (including all exhibits), and is accompanied by the applicable fee. A determination of application completeness shall be made by the official responsible for accepting the application within five working days of turning in an application. If an application is determined to be incomplete, the official responsible for accepting the application shall provide written notice to the applicant along with an explanation of the application's deficiencies. No further processing of the application shall occur until the deficiencies are corrected. If the deficiencies are not corrected by the applicant within 30 days, the application shall be null and void and the application fee forfeited.

F. Required Public Notice

1. Summary of Notice Required

Notice shall be required for development review as shown in the following table.

Application Type	Published	Mailed	Agenda Posted
Comprehensive Plan Amendment	X		X
Zoning Map Amend. (Rezoning)	X	X	X
UDO Text Amendment	X		X
Conditional Use Permit	X	X	X
Subdivision - Replats*	X*	X*	X
Design District - Site Plan/Bldg.			X
Variances – ZBA	X	X	X
Appeals – Site Plan & Driveway			X
Waiver – Subdivision Design			X
Waiver – Buffer Requirements			X
Administrative Appeals	X		X

* Only when required per the Local Government Code.

2. Specific Notice Requirements

a. Published Notice

A Public Hearing Notice shall be placed by the Administrator at least once in the official newspaper of the City not less than 15 calendar days prior to the meeting for the purpose of notifying the public of the time and place of such public hearing and the substance of the public hearing agenda items that may be considered or reviewed.

b. Mailed Notice

A notice of public hearing shall be sent to owners of record of real property, as indicated by the most recently approved municipal tax roll, within 200 feet of the parcel under consideration. The notice may be served by its deposit in the municipality, properly addressed with postage paid, in U.S. mail at least ten (10) days prior to the date set for the public hearing.

c. Content of Notice

A published or mailed notice shall provide at least the following specific information:

1) The general location of land that is the subject of the application;

2) The substance of the application, including the magnitude of proposed development and the current zoning district;
3) The time, date, and location of the public hearing; and
4) A phone number to contact the City.

3. Public Hearing Signs

For the purpose of notifying the public, the Administrator may require the installation of a sign on the property prior to the public hearing. The specifications including size, location, and content of public hearing signs shall be established by the Administrator.

4. Required Public Hearings

The following table illustrates the types of review requiring a public hearing and the review body responsible for conducting the hearing.

Application Type	Zoning Board of Adjustment	Planning and Zoning Commission	City Council
Comprehensive Plan Amendment		X	X
Zoning Map Amendment (Rezoning)		X	X
UDO Text Amendment		X	X
Conditional Use Permit		X	X
Subdivision*		X	
Variances – ZBA	X		
Administrative Appeals	X		

* Only when required per the LOCAL GOVERNMENT CODE.

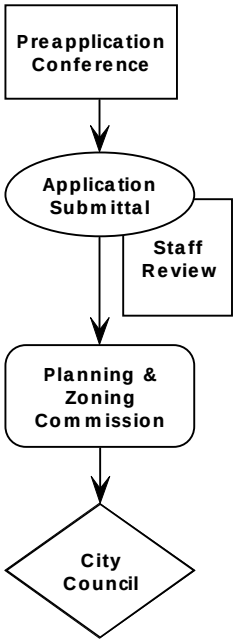
G. Simultaneous Processing of Applications

Whenever two or more forms of review and approval are required under this UDO, the applications for those development approvals may, at the option of the Administrator, be processed simultaneously, so long as the approval procedures for each individual application can be completed pursuant to the requirements of this UDO. Such processing shall occur at the applicant's own risk.

H. Appeals

An appeal of any final decision shall be filed with the appropriate entity within 30 days of the decision by the Administrator or the applicant. If no appeal is filed within 30 days, the decision shall be final.

3.2 Zoning Map Amendment (Rezoning)



A. Purpose

To establish and maintain sound, stable, and desirable development within the territorial limits of the City, the Official Zoning Map may be amended based upon changed or changing conditions in a particular area or in the City generally, or to rezone an area or extend the boundary of an existing zoning district. All amendments shall be in accordance with the Comprehensive Plan, which may be amended according to the procedure in Section 3.19, Comprehensive Plan Amendment.

B. Initiation of Amendments

An amendment to the Official Zoning Map may be initiated by:

1. City Council on its own motion;
2. The Planning and Zoning Commission;
3. The Administrator; or
4. The property owner(s).

C. Amendment Application

A complete application for a zoning map amendment shall be submitted to the Administrator as set forth in Section 3.1.C, Application Forms and Fees. Application requests for a Planned Development District (PDD) shall provide the following additional information:

1. **A written statement of the purpose and intent of the proposed development; and**

2. **A list and explanation of the potential land uses permitted.**

D. Approval Process

1. **Preapplication Conference**

   Prior to the submission of an application for a Zoning Map Amendment, all potential applicants shall request a Preapplication Conference with the Administrator. The purpose of the conference is to respond to any questions that the applicant may have regarding any application procedures, standards, or regulations required by this UDO.

   If the Administrator determines that the map amendment request is not in conformity with the Comprehensive Plan, he shall not accept the application for the map amendment, and no further processing shall occur until the map amendment is in conformity or a request for an amendment to the Comprehensive Plan eliminating the lack of conformity has been submitted by the applicant.

2. **Review and Report by Administrator**

   Once the application is complete, the Administrator shall review the proposed amendment to the Official Zoning Map in light of the Comprehensive Plan, subject to the criteria enumerated in Article 4, Zoning Districts, and give a report to the Planning and Zoning Commission on the date of the scheduled public hearing.

3. **Referral To Planning and Zoning Commission**

   The Administrator, upon receipt of petition to amend the Official Zoning Map, shall refer the same to the Commission for study, hearing, and report. The City Council may not enact the proposed amendment until the Planning and Zoning Commission makes its report to the City Council.

4. **Recommendation by Planning and Zoning Commission**

   The Planning and Zoning Commission shall publish, post, and mail public notice in accordance with Section 3.1.F, Required Public Notice. The Commission shall hold a public hearing and recommend to the City Council such action as the Commission deems proper.

5. **City Council Action**

   a. **Notice**

      The City Council shall publish, post, and mail public notice in accordance with Section 3.1.F, Required Public Notice, and hold a public hearing before taking final action on a petition to amend the Official Zoning Map.

   b. **Public Hearing**

      The City Council shall hold a public hearing and approve, approve with modifications, or disapprove the application to amend the Official Zoning Map.

   c. **Effect of Protest to Proposed Amendment**

      If a proposed change to this UDO or rezoning is protested in accordance with Chapter 211 of the Texas Local Government Code, the proposed change must receive, in order to take effect, the affirmative vote of at least three-fourths of all members of the City Council. The protest must be written and signed by the owners of at least 20 percent of either the area of lots covered by the proposed change, or of the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area.

   d. **Review Criteria**

      In determining whether to approve, approve with modifications, or disapprove the proposed Official Zoning Map amendment, the City Council shall consider the following matters regarding the proposed amendment:

      1) **Consistency with the Comprehensive Plan;**
      2) **Compatibility with the present zoning and conforming uses of nearby property and with the character of the neighborhood;**
      3) **Suitability of the property affected by the amendment for uses permitted by the district that would be made applicable by the proposed amendment;**
      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;**
      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; and**
      6) **Availability of water, wastewater, stormwater, and transportation facilities generally suitable and adequate for the proposed use.**

E. Limitation on Reapplication

If a petition for rezoning is denied by the City Council, another petition for reclassification of the same property or any portion thereof shall not be considered within a period of 180 days from the date of denial, unless the Planning and Zoning Commission finds that one of the following factors are applicable:

1. **There is a substantial change in circumstances relevant to the issues and/or facts considered during review of the application that might reasonably affect the decision-making body's application of the relevant review standards to the development proposed in the application;**

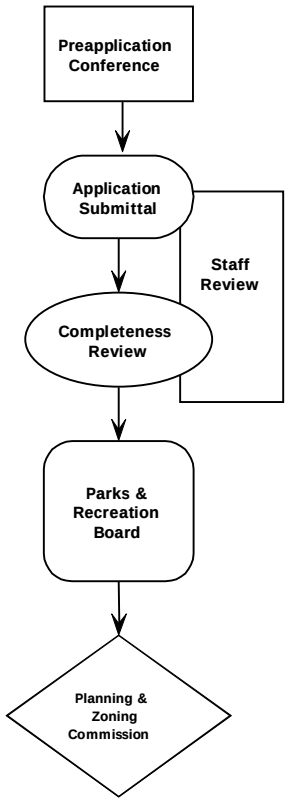
2. **New or additional information is available that was not available at the time of the review that might reasonably affect the decision-making body's application of the relevant review standards to the development proposed;**

3. **A new application is proposed to be submitted that is materially different from the prior application (e.g., proposes new uses or a substantial decrease in proposed densities and intensities); or**

4. **The final decision on the application was based on a material mistake of fact.**

3.3 Subdivision Plat Review

A. Applicability



1. **Subdivision approval shall be required (except as exempted under the TEXAS LOCAL GOVERNMENT CODE) before any of the following activities occur within the City limits or the limits of the City's extraterritorial jurisdiction:**

   a. **The division of land (for any purpose) into two or more parcels;**

   b. **Development of a platted property where right-of-way for an identified future or additional right-of-way for an existing thoroughfare has been identified by the Comprehensive Plan;**

   c. **Development on a parcel not previously legally platted;**

   d. **Development that involves the construction of any public improvements that are to be dedicated to the City or to a county within the City's extraterritorial jurisdiction;**

   e. **Resubdivision of land that has previously been platted; or**

   f. **Amendment of any approved plat.**

   Exemption: Subdivision of property that result from a governmental entity's land acquisition for public facilities such as expansion of street right-of-way.

2. **Any person who proposes the development of a tract of land within the City limits or the extraterritorial jurisdiction (ETJ) of the City of College Station must have a Development Plat of the tract prepared in accordance with this Section. New development may not begin on the property until the Development Plat is filed with and approved by the City. When an applicant is required to file a Preliminary or Final Subdivision Plat by other requirements of this Section, a Development Plat is not required in addition to the Subdivision Plat.**

B. Unlawful to Record Plat Without Approval

It shall be unlawful to offer and cause to be recorded any Plan, Plat, or Replat of land within the City limits or extraterritorial jurisdiction of College Station at the Office of the County Clerk unless the same bears the endorsement and approval of the Planning and Zoning Commission or the Administrator as provided for in this UDO.

C. Filing of Plat and Application

For the purposes of this section, the date of filing shall be determined as the date on which the applicant submits a Plat that meets all of the terms and conditions of this UDO or has filed a variance request to those sections of the code for which the plat does not comply. Once a Plat has been filed with the City it will be scheduled for review by the Administrator and/or the Planning and Zoning Commission.

D. Platting in Planned Development Districts (PDD and P-MUD)

If the subject property is zoned as a Planned Development District (PDD) or Planned Mixed-Use

District (P-MUD), the Design Review Board may approve a Concept Plan that provides for general modifications to the site development standards. The general modifications shall be indicated on the approved Concept Plan. The Administrator shall determine the specific standards that comply with the general modifications of the subdivision standards at the time a plat is approved. The applicant or the Administrator may have the Design Review Board determine the specific standards that comply with the approved Concept Plan.

E. Platting in the Extraterritorial Jurisdiction (Brazos County)

The City of College Station and Brazos County have an interlocal agreement providing for joint regulation of subdivision platting in the City's extraterritorial jurisdiction in Brazos County. The City shall provide the County with copies of proposed subdivisions, shall include the County in the plat review process, and in any site inspections as needed.

Any plat for a subdivision in the ETJ shall first require the approval of the Administrator or the Planning and Zoning Commission (as appropriate), followed by approval by the Brazos County Commissioners Court.

F. Application

1. A complete application for subdivision review shall be submitted to the Administrator as set forth in Section 3.1.C, Application Forms and Fees. The signatures of all owners of land within the boundary of the Development Plat, Master Plan, or Preliminary or Final Plat, shall be required on the application.

2. An application fee shall be submitted with the Plat or Replat as required by Section 3.1.C, Application Forms and Fees.

3. All Plats shall be submitted upon request in an electronic form acceptable to the Administrator and compatible with the City's Geographic Information System (GIS).

4. If the Administrator determines that the Subdivision Plat is not in conformity with the Comprehensive Plan or the Master Plan, he shall not accept the application for the Subdivision Plat and no further processing shall occur until the Subdivision Plat is in conformity or a request for an amendment to the Comprehensive Plan eliminating the lack of conformity has been submitted by the applicant. The determination that the Subdivision Plat is not in compliance with the Comprehensive Plan may be appealed to the Planning and Zoning Commission.

G. Development Plat Review

1. Applicability

The City of College Station chooses to be covered by Subchapter B, "Regulation of Property Development," Chapter 212 of the Texas Local Government Code.

2. Review and Report by Administrator

Once the application is complete, the Administrator shall review the proposed Plat in light of the Comprehensive Plan and give a report to the Planning and Zoning Commission.

3. Review and Recommendation by Parks and Recreation Advisory Board

The Parks and Recreation Advisory Board shall review the Development Plat for compliance with the parkland dedication requirements in Article 8, Subdivision Design and Improvements, and recommend approval, approval with conditions, or disapproval of the same.

4. Review and Action by Planning and Zoning Commission

The Planning and Zoning Commission shall approve a Development Plat if the Plat conforms to:

a. The City's Comprehensive Plan;

b. The City's plans, rules, and ordinances concerning its current and future streets, sidewalks, alleys, parks (land dedication and development fees), playgrounds, and public utility facilities;

c. The City's ordinances and regulations with regard to the extension of the City or the extension, improvement, or widening of its roads, streets, and public highways within the City and in its extraterritorial jurisdiction (ETJ), taking into account access to and extension of sewer and water mains and the instrumentalities of public utilities; and

d. Any other applicable plans, rules, or ordinances of the City.

H. Minor and Amending Subdivision Plat Review

1. Procedure

A Minor or Amending Subdivision Plat shall be approved provided that it conforms to all requirements of these regulations.

2. Review and Action by Administrator

a. When submitted, the Minor or Amending Plat shall also be accompanied by current certificates from all taxing agencies showing payment of all ad valorem taxes on the land within the subdivision.

b. Within 15 days after a Minor or Amending Plat is filed, the Development Engineer shall recommend approval, approval with conditions, or denial of such Plat to the Administrator.

c. The Administrator shall approve, approve with conditions, or forward the plat to the Planning and Zoning Commission. Conditional approval must entail corrections or changes that are ministerial and explicitly spelled out.

d. If forwarded to the Planning and Zoning Commission, the Commission shall approve, disapprove, or conditionally approve the Plat within 30 days of the Administrator's decision. Conditional approval must entail corrections or changes that are ministerial and explicitly spelled out.

3. Recordation

If favorable action has been taken by the Administrator or the Planning and Zoning Commission, the Minor or Amending Plat shall be recorded at the Office of the Brazos County Clerk when all requirements and conditions have been met.

I. Major Subdivision Plat Review

1. Master Plan Review

a. Applicability

A Master Plan that complies with the City's Comprehensive Plan is required for all subdivisions to be developed in more than one phase and

1) Containing more than 50 acres of land or

2) More than 100 residential lots.

b. Review and Recommendation by Administrator

The Administrator shall review the Master Plan application and recommend approval, approval with conditions, or disapproval of the same. Conditional approval must entail corrections or changes that are ministerial and explicitly spelled out.

c. Review and Recommendation by Parks and Recreation Board

The Parks and Recreation Board shall review the Master Plan for compliance with the parkland dedication requirements in Article 8, Subdivision Design and Improvements, and recommend approval, approval with conditions, or disapproval of the same. Conditional approval must entail corrections or changes that are ministerial and explicitly spelled out.

d. Review and Action by Planning and Zoning Commission

1) The applicant will be advised of the date set for Planning and Zoning Commission consideration.

2) Within 30 days after the Master Plan is filed with the City, the Planning and Zoning Commission shall approve, disapprove, or conditionally approve the plan with modifications. Conditional approval must entail corrections or changes that are ministerial and explicitly spelled out.

3) Approval or conditional approval of a Master Plan shall be effective for 24 months from the date of such action, unless reviewed by the Planning and Zoning Commission in light of new or significant information which would necessitate a revision, in which case the Commission shall inform the subdivider in writing. The Commission may modify or revoke the approved Plan after a public hearing in light of new or significant information.

4) If a Preliminary Plat is not filed within 24 months of the effective date of approval, the Planning and Zoning Commission may, upon written application of the subdivider, extend the approval in increments of 12-month time periods upon demonstration of substantial progress and the lack of changed or changing conditions in the area.

5) Approval of a Master Plan shall not constitute approval of the Preliminary Plat. Application for approval of the Preliminary Plat will be considered only after the requirements for Plan approval as specified herein have been fulfilled and after all other specified conditions have been met.

6) Upon approval of the Plan by the Planning and Zoning Commission, the subdivider may proceed to comply with the other requirements of these regulations and the preparation of the Preliminary Plat.

2. Preliminary Plat Review

a. Applicability

A major subdivision final plat may be submitted without submitting a preliminary plat if all the requirements of preliminary and final plat are complied with on the final plat. All plats must be in compliance with the approved Master Plan and the City's Comprehensive Plan.

b. Oversize Participation

At the time of Preliminary Plat, an applicant may request oversize participation on any infrastructure, as provided in Article 8, Subdivision Design and Improvements. In order to do so, impact studies covering the particular infrastructure must be submitted justifying the request for oversize. These studies shall indicate what size infrastructure is necessary to serve the proposed development as shown on an approved Master Plan or Preliminary Plat. If the City's Comprehensive Plan calls for infrastructure in excess of that required for the proposed development, the applicant may request participation for this additional size. The City Council shall consider and approve, conditionally approve, or disapprove oversize participation requests.

c. Review and Recommendation by Administrator

The Administrator shall review the Preliminary Plat application and recommend approval or disapproval of the same.

d. Review and Recommendation by Parks and Recreation Advisory Board

The Parks and Recreation Advisory Board shall review the Preliminary Plat application for compliance with the parkland dedication requirements of Article 8, Subdivision Design and Improvements, and recommend approval, approval with conditions, or disapproval of the same. Once the Board has determined compliance, the plat and subsequent plats may proceed directly to the Planning and Zoning Commission.

e. Review and Action by Planning and Zoning Commission

1) The applicant will be advised of the date set for Planning and Zoning Commission consideration.

2) Within 30 days after the Preliminary Plat is filed with the City, the Planning and Zoning Commission shall approve, disapprove, or conditionally approve the Plat with modifications. Conditional approval must entail corrections or changes that are ministerial and explicitly spelled out.

3) Approval or conditional approval of a Preliminary Plat shall be effective for 24 months from the date of such action.

4) If a Final Plat is not filed within 24 months of the effective date of approval, the Planning and Zoning Commission may, upon written application of the subdivider, extend the approval for a one-time additional 12-month period.

5) Each Final Plat of a phase on an approved Preliminary Plat shall extend the expiration date of the Preliminary Plat an additional one year from the date the Final Plat was approved by the City.

6) Approval of a Preliminary Plat shall not constitute approval of the Final Plat. Application for approval of the Final Plat will be considered only after the requirements for Preliminary Plat approval as specified herein have been fulfilled and after all other specified conditions have been met.

7) Upon approval of the Preliminary Plat by the Planning and Zoning Commission, the subdivider may proceed to comply with the other requirements of these regulations and the preparation of the Final Plat.

3. Final Plat and Replat Review

The Final Plat shall conform to the Preliminary Plat as approved by the Planning and Zoning Commission, provided it incorporates all changes, modifications, corrections, and conditions imposed by the Planning and Zoning Commission; and provided further, that it conforms to all requirements of these regulations and the City's Comprehensive Plan.

a. Procedure

The Final Plat will not be considered unless a Preliminary Plat has been filed and approved, except in the case of dedication of land for the sole purpose of a street, park, drainage easements, or, the Plat is exempt under Section 3.3.H.2.a, Preliminary Plat Review - Applicability.

b. Review and Recommendation

The Administrator shall review the Final Plat application and recommend approval or disapproval of the same.

c. Review and Action by Planning and Zoning Commission

1) When submitted, the Final Plat shall also be accompanied by current certificates from all taxing agencies showing payment of all ad valorem taxes on the land within the subdivision.

2) When the Final Plat, together with the accompanying data and construction documents, and the application for approval is received by the Administrator, it will be processed in the same manner as the Preliminary Plat.

3) Within 30 days after the Final Plat is filed, the Planning and Zoning Commission shall approve, disapprove, or conditionally approve such Plat. Conditional approval must entail corrections or changes that are ministerial and explicitly spelled out.

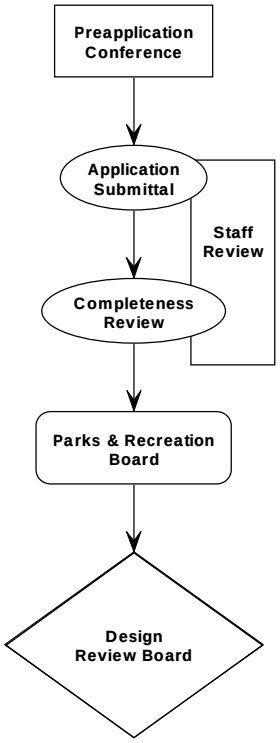
d. Recordation

If favorable action has been taken by the Planning and Zoning Commission, the Final Plat shall be recorded in the Office of the Brazos County Clerk when all requirements and conditions have been met. The construction documents when duly signed by the Development Engineer are authority to proceed with the construction of streets and utilities. Nothing in the procedure authorizes construction on private property.

J. Waivers

The Planning and Zoning Commission may approve, approve with conditions, or disapprove waivers of the standards in Article 8, Subdivision Design and Improvements, prior to or concurrent with the platting process.

3.4 Concept Plan Review (PDD and P-MUD Districts)



A. Applicability

A Concept Plan shall be required prior to any development of property zoned Planned Development District (PDD) or Planned Mixed-Use District (P-MUD).

B. Application Requirements

A complete application for a Concept Plan shall be submitted to the Administrator as set forth in Section 3.1.C, Application Forms and Fees, unless otherwise specified in this Section.

C. Concept Plan Approval Process

1. Preapplication Conference

Prior to submitting a Concept Plan, the applicant shall attend a preapplication conference in order to meet, confer with, and receive the advice and assistance of the City staff.

2. Review and Report by the Parks and Recreation Advisory Board

If the proposed area involves any required or voluntary parkland dedication, the Concept Plan must be reviewed by the Parks and Recreation Advisory Board. Parks and Recreation Advisory Board recommendations shall be forwarded to the Design Review Board.

3. Review and Report by the Greenways Program Manager

If the proposed area includes a greenway dedication as shown on the Greenways Master Plan, or if the applicant is proposing greenway dedication or voluntary sale, the concept plan must be reviewed by the Greenways Program Manager. The Greenways Program Manager's recommendation shall be forwarded to the Design Review Board.

4. Review and Recommendation by the Administrator

The Administrator shall review the Concept Plan and recommend approval, approval with conditions, or disapproval of the same.

5. Design Review Board Final Action

The Design Review Board shall review the Concept Plan and approve, approve with conditions, or disapprove.

D. Concept Plan Requirements

1. A Concept Plan shall not be considered or reviewed as a complete site plan application. The Concept Plan for the proposed development shall include the following:

a. A general plan showing the location and relationship of the various land uses permitted in the development;

b. A range of proposed building heights;

c. A written statement addressing the drainage development of the site;

d. The general location of detention/retention ponds and other major drainage structures;

e. A list of general bulk or dimensional variations sought;

f. If general bulk or dimensional variations are sought, provide a list of community benefits and/or innovative design concepts to justify the request;

g. The general location of parking areas;

h. Open spaces, parkland, conservation areas, greenways, parks, trails and other special features of the development; and

i. Buffer areas or a statement indicating buffering proposed.

E. Review Criteria

The Administrator shall recommend approval and the Design Review Board shall approve a Concept Plan if it finds that the Plan meets the following criteria:

1. The proposal will constitute an environment of sustained stability and will be in harmony with the character of the surrounding area;

2. The proposal is in conformity with the policies, goals, and objectives of the Comprehensive Plan, and any subsequently adopted Plans, and will be consistent with the intent and purpose of this Section;

3. The proposal is compatible with existing or permitted uses on abutting sites and will not adversely affect adjacent development;

4. Every dwelling unit need not front on a public street but shall have access to a public street directly or via a court, walkway, public area, or area owned by a homeowners association;

5. The development includes provision of adequate public improvements, including, but not limited to, parks, schools, and other public facilities;

6. The development will not be detrimental to the public health, safety, welfare, or materially injurious to properties or improvements in the vicinity; and

7. The development will not adversely affect the safety and convenience of vehicular, bicycle, or pedestrian circulation in the vicinity, including traffic reasonably expected to be generated by the proposed use and other uses reasonably anticipated in the area considering existing zoning and land uses in the area.

F. Minimum Requirements

Unless otherwise indicated in the approved concept plan, the minimum requirements for each development shall be those stated in this UDO for subdivisions and the requirements of the most restrictive standard zoning district in which designated uses are permitted. Modification of these standards may be considered during the approval process of the Concept Plan. If modification of these standards is granted with the Concept Plan, the Administrator will determine the specific minimum requirements.

G. Compliance with Other Regulations

The approval of a Concept Plan shall not relieve the developer from responsibility for complying with all other applicable sections of this UDO and other codes and ordinances of the City of College Station unless such relief is granted in the approved concept plan.

H. Owners Association Required

An owners' association will be required if other satisfactory arrangements have not been made for providing, operating, and maintaining common facilities including streets, drives, service and parking areas, common open spaces, buffer areas, and common recreational areas at the time the development plan is submitted. If an owners' association is required, documentation must be submitted to the City at the time of platting to assure compliance with the provisions of this UDO.

I. Modifications

Any deviations from the approved Concept Plan, shall require Design Review Board approval except as provided for below.

J. Minor Amendment to Concept Plan

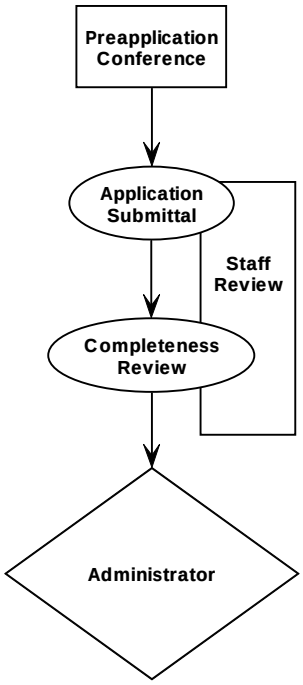
Minor additions and modifications to the approved Concept Plan meeting the criteria below may be approved by the Administrator:

1. **Minor additions to structures as determined by the Administrator;**
2. **Minor new accessory structures if the location does not interfere with existing site layout (e.g., circulation, parking, loading, storm water management facilities, open space, landscaping, buffering);**
3. **Minor additions to parking lots;**
4. **An increase of 25 percent of the total number of dwelling units for residential developments as long as the maximum allowable density shown on the Land Use Plan is not exceeded;**
5. **Clearing or grading of areas not depicted on the concept plan as a conservation area, greenway, or park; and**
6. **Final determination of the specific meritorious modifications such as setbacks, lot size, dimensional standards, etc., granted generally as part of the Concept Plan.**

K. Expiration of Approval

The Concept Plan shall expire within 24 months of the date approved by the Design Review Board. A final, one-time extension of twelve months may be granted by the Administrator upon demonstration of substantial progress and the lack of changed or changing conditions in the area.

3.5 Site Plan Review



A. Applicability

1. **Prior to development of any use or structure other than single-family (excluding Manufactured Home Parks), duplex, or townhouse residential development, a site plan shall be approved by the City in accordance with this Section.**
2. **No development described in paragraph 1 above shall be lawful or permitted to proceed without final site plan approval. A site plan approved as part of a conditional use permit shall be considered a site plan approval.**
3. **If the subject property is zoned as a Planned Development District (PDD) or Planned Mixed-Use District (P-MUD), the Design Review Board may approve a Concept Plan that provides for general modifications to the site development standards. The general modifications shall be indicated on the approved Concept Plan. The Administrator shall determine the specific standards that comply with the general modifications of the site development requirements at the time a site plan is approved. The applicant or the Administrator may have the Design Review Board determine the specific standards that comply with the approved Concept Plan.**

B. General Requirements

All improvements reflected on approved site plans must be constructed at the time of development. All terms and conditions of site plan approval must be met at the time of development.

C. Application Requirements

A complete application for site plan approval shall be submitted to the Administrator as set forth in Section 3.1.C, Application Forms and Fees. The application shall include a landscape plan illustrating compliance with the requirements of Section 7.5, Landscaping and Tree Protection. Where applicable, applicants shall submit information and materials required in Section 7.9, Non-Residential Architectural Standards.

D. Site Plan Approval Process

Site plan review applications shall be processed in accordance with the following requirements:

1. **Preapplication Conference**

   Prior to the submission of an application for site plan approval, all potential applicants may request a preapplication conference with the Administrator. The purpose of the conference is to respond to any questions that the applicant may have regarding any application procedures, standards, or regulations required by this UDO; however, they do not fulfill the requirements for formal review or submittal as set forth in this UDO.

2. **Final Action by the Administrator**

   If the proposed site plan is determined to be consistent with all applicable provisions of this UDO, the Administrator shall approve or conditionally approve the site plan. A determination that all such requirements and provisions have not been satisfied shall result in disapproval of the site plan and notice of such disapproval shall be given to the applicant in writing. Conditional approval must entail corrections or changes that are ministerial and explicitly spelled out.

E. Site Plan Review Criteria

The Administrator may request changes to the site plan to accomplish the following requirements. In order to be approved, a site plan must provide for:

1. **Safe and convenient traffic control, handling, and vehicle queuing;**
2. **Assured pedestrian safety which may include the provision of sidewalks along the perimeter of the property;**
3. **Efficient and economic public utilities;**
4. **Public road or street access;**
5. **Safe and efficient internal access including public, private, or emergency;**
6. **Adequate parking and maneuvering areas;**
7. **Noise and emission control or dispersion that complies with Chapter 7, Health and Sanitation, of the City's Code of Ordinances;**
8. **Runoff, drainage, and flood control;**
9. **Visual screening of areas offensive to the public or adjacent developments such as detention areas, retaining walls, utilities and solid waste facilities;**
10. **Compliance with standards, guidelines, and policies of the City's adopted Streetscape Plan referenced in Article 8, Subdivision Design and Improvements;**
11. **Clear indication of what constitutes the building plot for purposes of signage; and**
12. **Location and density of buildings or dwellings where topography or characteristics of the site compel a lower density than would otherwise be allowed, or require location consistent with accepted engineering practices and principles.**

F. Appeal

Appeals of site plans denied by the Administrator where the denial was based upon the site plan review criteria in Section 3.5.E, Site Plan Review Criteria, or appeal of a site plan condition imposed to assure compliance with the criteria in 3.5.E, Site Plan Review Criteria, shall be submitted to the Design Review Board within 30 days of the decision. If no appeal is filed within 30 days, the decision shall be final.

The Design Review Board shall have the same authority as the Administrator in reviewing the site plan and taking final action. The Board may impose reasonable site-related conditions to mitigate the impacts of the development; however, they shall not impose architectural changes unless otherwise provided for in this UDO. .

G. Expiration of Approval

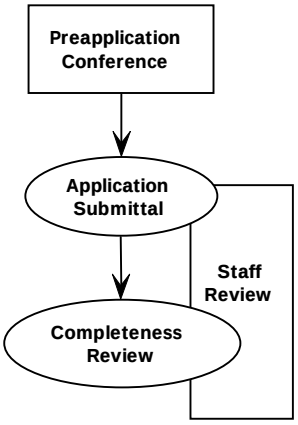
An approved site plan, including those approved prior to the effective date of this UDO or any subsequent amendments, shall expire twelve (12) months from the date of approval unless the proposed development is pursued as set forth below:

1. **A building permit has been issued and remains valid.**

2. In a phased development where more than one building is to be built, the applicant may submit a series of building permit applications. The first application must be submitted within 12 months from the date the site plan is approved. Each subsequent application must be submitted within 12 months from the date of issuance of a Certificate of Occupancy for the previous building. The lapse of more than 12 months shall cause the expiration of site plan approval. A final, one-time extension of 180 days from the date of expiration of any building permit may be granted by the Administrator upon demonstration of substantial progress and the lack of changed or changing conditions in the area.

3.6 Design District Site Plan Review

A. Applicability



1. Design Districts

Prior to any development in any Northgate district (NG-1, NG-2, NG-3) or the Wolf Pen Creek district (WPC) excluding minor additions such as storage buildings, fencing and the like, an applicant must obtain design district site plan approval under this Section.

In reviewing a project, the Design Review Board may require traffic and parking impact studies, a review of existing occupancy, and other reasonable data to determine the impact of the project.

2. Design District Site Plan Review Required

No private development shall be lawful or permitted to proceed without final design district site plan approval. Minor additions may be approved by the Administrator. Design district site plan approval shall be required for all site plans as part of a conditional use permit.

3. General Requirements

a. All improvements reflected on approved site plans must be constructed at the time of development.

b. All associated rehabilitation, façade work, and other construction must be conducted subsequent to and in compliance with approved elevations, colors, and materials. Such review may take place concurrent with the site plan review, or may take place separately, as provided in Section 3.8, Development Permit.

c. All terms and conditions of site plan approval must be met at the time of development.

B. Application Requirements

A complete application for site plan approval shall be submitted to the Administrator as set forth in Section 3.1.C, Application Forms and Fees. The application shall include a landscape plan illustrating compliance with the requirements of Section 7.5, Landscaping and Tree Protection (except in NG-1, NG-2 and NG-3 as referenced in Article 5.6.B, Northgate Districts).

C. Design District Site Plan Approval Process

Design district site plan review applications shall be processed in accordance with the following requirements:

1. Preapplication Conference

Prior to the submission of an application for design district site plan approval, all potential applicants shall request a preapplication conference with the Administrator as required in Section 3.1.B, Preapplication Conference.

2. Review and Report by the Administrator

If the proposed design district site plan is determined to be consistent with all applicable provisions of this UDO, the City's Comprehensive Plan, and the Northgate Revitalization Plan or the Wolf Pen Creek Master Plan, or if the plan is recommended for denial or conditional approval, the Administrator shall report such consistency, inconsistency, or proposed conditions to the Design Review Board.

3. Review by the Design Review Board

The Design Review Board shall review the design district site plan in a public meeting and may approve, approve with conditions or deny the application. Notice shall be provided by publication of the agenda of the meeting.

4. Final Action by the Design Review Board

If the proposed site plan is determined to be consistent with all applicable provisions of this UDO, including the applicable district provisions of Section 5.6., Design Districts, and the review criteria below, the Design Review Board shall approve the design district site plan. A determination that all such requirements and provisions have not been satisfied shall result in disapproval of the site plan.

D. Design District Minor Additions Approval Process

Minor additions to a site are accessory buildings and structures, change of solid waste disposal location, painting, and landscaping. All site plan review applications for minor additions shall be processed in accordance with the following requirements:

1. Review by the Administrator

The Administrator shall review the design district site plan for minor additions and may approve, approve with conditions, or deny the site plan. The Administrator may also forward the site plan to the Design Review Board for any reason.

2. Final Action by the Administrator

If the proposed site plan is determined to be consistent with all applicable provisions of this UDO, the City's Comprehensive Plan, and the Northgate Revitalization Plan or the Wolf Pen Creek Master Plan, including the applicable district provisions of Section 5.6, Design Districts, Use Standards, and the review criteria below, the Administrator shall approve the design district site plan. A determination that all such requirements and provisions have not been satisfied shall result in disapproval of the site plan.

E. General Site Plan Review Criteria

In order to be approved, a site plan must provide for:

1. Safe and convenient traffic control, handling, and vehicle queuing;

2. Assured pedestrian safety which may include the provision of sidewalks along the perimeter of the property meeting the specifications for same as outlined in Article 8, Subdivision Design and Improvements, relative to width and placement;

3. Efficient and economic public utility and sanitation access;

4. Public road or street access;

5. Satisfactory internal access including public, private, and emergency;

6. Adequate parking and maneuvering areas;

7. Noise and emission control or dispersion that complies with Chapter 7, Health and Sanitation, of the City's Code of Ordinances;

8. Visual screening of trash receptacles or other areas offensive to the public or existing adjacent development;

9. Runoff, drainage, and flood control;

10. Visual screening from the right-of-way of parking lots;

11. Compliance with standards, guidelines, and policies of the City's adopted Streetscape Plan; and

12. Determination and clear indication of what constitutes the building plot for purposes of this UDO.

F. Additional Review Criteria for the WPC District

The following standards, which affect the appearance of a development, shall govern the evaluation of a design submission in the WPC district:

1. Conformance to the City's Comprehensive Plan;

2. Exterior space utilization;

3. Material selection;

4. Compatibility with existing development in the design district;

5. Vehicular, pedestrian, and bicycle circulation;

6. Building location and orientation; and

7. Specific standards listed in Sections 5.6.A, Wolf Pen Creek Corridor.

G. Additional Review Criteria for Northgate Districts

1. Conformance to the City's Comprehensive Plan and such Northgate Redevelopment Plan as adopted by City Council;

2. Vehicular, pedestrian, and bicycle circulation;

3. Specific standards listed in Section 5.6.B, Northgate Districts.

H. Expiration of Approval

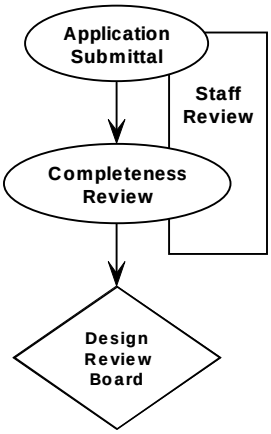
An approved design district site plan, including those approved prior to the effective date of this UDO, shall expire 12 months from the date of approval unless the proposed development is pursued as set forth below:

1. Work that does not require a building permit (such as a parking lot) has commenced.

2. A building permit has been issued and remains valid.

3. In a phased development where more than one building is to be built, the applicant may submit a series of building permit applications. The first application must be submitted within 12 months from the date the site plan is approved. Each subsequent application must be submitted within 12 months from the date of issuance of a certificate of occupancy for the previous building. The lapse of more than 12 months shall cause the expiration of site plan approval. A final, one-time extension of 180 days may be granted by the Administrator upon demonstration of substantial progress and the lack of changed or changing conditions in the area.

3.7 Design District Building and Sign Review



A. Applicability

1. In the design districts (including the WPC, NG-1, NG-2 and NG-3 districts), all substantial maintenance (including but not limited to rehabilitation, façade work, and, change of exterior materials or other construction, including the replacement or alternation of signs) shall be subject to the design district building and sign review process.

2. Minor additions to a site (accessory buildings and structures, change of solid waste disposal location, painting, and landscaping) shall be reviewed by the Administrator.

B. Application

A complete application for building or sign review in a design district shall be submitted to the Administrator as set forth in Section 3.1.C, Application Forms and Fees.

C. Final Action by Design Review Board

1. Public Meeting

The Design Review Board shall conduct design district review in a public meeting. Notice shall be provided by publication of the agenda of the meeting.

2. Design Review

The Board shall apply the standards for the applicable district as set forth in Section 5.6, Design Districts, and approve, conditionally approve, or disapprove the building and sign materials and colors as specifically required in Section 5.6.A, Wolf Pen Creek Development Corridor and Section 5.6.B, Northgate Districts. In considering such matters, the Design Review Board may rely on special area plans or studies adopted by the City Council.

3. **Written Decision**

If approval is granted, the decision shall be communicated in writing to the applicant.

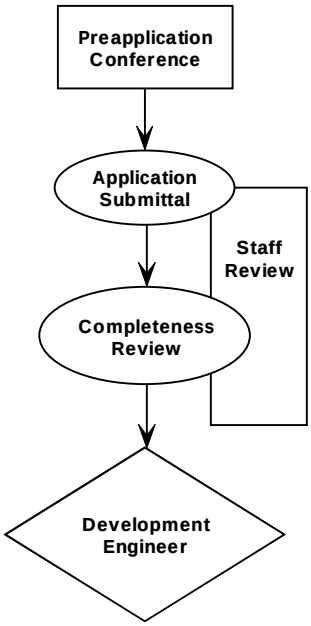
D. Expiration and Lapse of Approval

An approved design district building or sign plan, including those approved prior to the effective date of this UDO, shall expire twelve (12) months from the date of approval unless the proposed development is pursued as set forth below:

1. **A building permit has been issued and remains valid.**

2. **In a phased development where more than one building is to be built, the applicant may submit a series of building permit applications. The first application must be submitted within 12 months from the date the site plan is approved. Each subsequent application must be submitted within 12 months from the date of issuance of a Certificate of Occupancy for the previous building. The lapse of more than 12 months shall cause the expiration of site plan approval. A final, one-time extension of 180 days may be granted by the Administrator upon demonstration of substantial progress and the lack of changed or changing conditions in the area.**

3.8 Development Permit



A. Applicability

A development permit shall be required prior to any development, as defined in Article 11, Definitions, to ensure conformance to the provisions and requirements of this UDO. The following uses are exempt from the permitting requirements of this Section, but shall otherwise meet all of the requirements of this UDO and the City's Drainage Policy and Design Standards:

Customary and incidental grounds maintenance, landscaping, and gardening.

1. **Drainage-related improvements or modifications by a homeowner on property used as their principal residence where that property lies outside of the designated Area of Special Flood Hazard.**

2. **Uses by a landowner of their property for bona fide agricultural purposes.**

B. Approval Process

Prior to the issuance of a development permit, the following requirements shall be met:

1. **Preapplication Conference**

A preapplication conference shall be held with the Development Engineer, or his designated representative, if the property contains areas of special flood hazard as set forth in Section 3.1.B, Preapplication Conference.

2. **Application**

A complete application for a development permit shall be submitted to the Development Engineer as set forth in Section 3.1.C, Application Forms and Fees.

3. **Review and Action by the Development Engineer**

The Development Engineer shall review the required information and application form and shall take one of the following actions:

a. **Approve the development permit;**

b. **Disapprove the development permit;**

c. **Approve the development permit with conditions; or**

d. **Require additional information or an engineering conference with the applicant or his engineer.**

4. **Review Criteria**

Approval or denial of a development permit by the Development Engineer shall be based on the following relevant factors:

a. The danger to life or property due to flooding or erosion damage;

b. The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner;

c. The danger that materials may be swept onto other lands to the injury of others;

d. The compatibility of the proposed use with existing and anticipated development;

e. The maintenance and operational costs of providing governmental services during and after flood conditions, including maintenance and repair of streets and bridges, and public utilities and facilities such as sewer, gas, electrical, and water systems;

f. The expected heights, velocity, duration, rate of rise, and sediment transport of the flood waters, and the effects of wave action, if applicable, expected at the site;

g. The necessity to the facility of a waterfront location, where applicable;

h. The availability of alternative locations, not subject to flooding or erosion damage, for the proposed use;

i. The barricading of existing trees to remain on the property and count as protected trees under Section 7.5, Landscaping and Tree Protection; and

j. Compliance with this UDO.

5. Notification of Decision

a. The applicant shall be notified in writing of the action prescribed above. If the development permit has been disapproved, the specific reasons for disapproval shall be indicated in the notification. If additional information is required of the applicant, the specific requirements shall be indicated in the notification. A final determination of the approval or disapproval of the development permit, considering the additional information, shall be made and written notification to the applicant given within ten working days after acceptance of the complete application.

b. Any proposal which includes areas of special flood hazard within the following special drainage areas shall receive written notice of approval or disapproval of the development permit from the Development Engineer within 60 working days after receipt of the proposal:

1) The entirety of Carter's Creek;

2) The main channel of Lick Creek;

3) Wolf Pen Creek from the Earl Rudder Freeway to the confluence with Carter's Creek; and

4) The Brazos River.

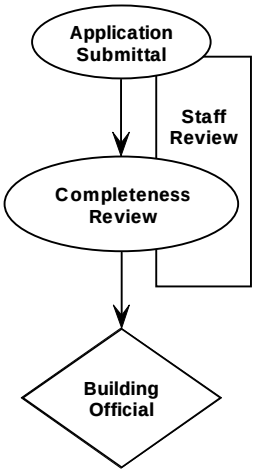
C. Expiration of Approval

A development permit within an area of special flood hazard issued by the Development Engineer is valid for twelve (12) months after its issuance. The Development Engineer may authorize an extension of a development permit upon demonstration of substantial progress and the lack of changed or changing conditions in the area.

3.9 Building Permit

A. Building Permit Required

No building or other structure shall hereafter be erected, moved, added to, structurally altered, repaired, demolished, or occupancy changed without a permit issued by the Building Official except in conformity with the provisions of this section and the 2003 INTERNATIONAL BUILDING CODE as adopted and amended by the City, unless directed by the Zoning Board of Adjustment or the Construction Board of Adjustments and Appeals as provided by this UDO. No Building Permit issued under the provisions of this Article for land use or construction in the City shall be considered valid unless signed by the Building Official.



B. Application for Building Permit

1. Applications for Building Permits for single-family, duplex, or townhouse structures shall be accompanied by one (1) set of complete plans, drawn to scale, showing the actual dimensions and shape of the lot to be built upon; the exact sizes and locations on the lot of buildings already existing, if any; and the location and dimensions of the proposed building or alteration, easements, and required setbacks.

Applications for multi-family and commercial structures shall be accompanied by three (3) sets of complete plans, drawn to scale, including the approved site plan as required in Section 3.5, Site Plan Review.

Additional sets of plans shall be supplied to the Building Official upon request.

2. The application shall include such other information as lawfully may be required by the Building Official or the Administrator, including existing or proposed building or alteration; existing or proposed uses of the building and land; the number of families, housekeeping units, or rental units the building is designed to accommodate; conditions existing on the lot; and such other matters as may be necessary to determine conformance with, and provide for the enforcement of, this UDO.

3. One copy of the plans shall be returned to the applicant by the Building Official after it is marked as either approved, approved with conditions, or disapproved and attested to same by his signature on such copy. The original copy of the plans, similarly marked, and the associated site plan shall be retained by the Building Official.

4. Where applicable, applicants shall submit information and materials required in Section 7.5, Landscaping and Tree Protection.

5. Where applicable, applicants shall submit information and materials required in Section 7.10 Non-Residential Architectural Standards.

C. Review and Recommendation

The Building Official shall review all building permit applications to determine if intended uses, buildings, or structures comply with all applicable regulations and standards, including this UDO, and approve or disapprove the same.

D. Review and Action by Building Official

1. The Building Official shall make a final determination of whether the intended uses, buildings, or structures comply with all applicable regulations, standards, and the Building Code. The Building Official shall not issue a building permit unless the plans, specifications, and intended use of such building or structures or parts thereof conform in all respects to the provisions of this UDO and the Building Code.

2. If the subject property is zoned as a Planned Development District (PDD) or Planned Mixed-Use District (P-MUD), the Design Review Board may approve a Concept Plan that provides for general modifications to the site development standards. The general modifications shall be indicated on the approved Concept Plan. The Administrator shall determine the specific standards that comply with the general modifications of the site development requirements at the time of building permit. The applicant or the Administrator may have the Design Review Board determine the specific standards that comply with the approved Concept Plan.

3.10 Certificate of Occupancy

A. Applicability

A Certificate of Occupancy shall be required for any of the following:

1. Occupancy and use of a building hereafter erected or enlarged;

2. Change in use of an existing building to a different Use Category;

3. Any change in a nonconforming use or structure; or

4. As required by the 2003 INTERNATIONAL BUILDING CODE, SECTION 110.

B. Application

Once all required building inspections have been reviewed by the Building Official and he finds no violation of the provisions of the code, the Building Official shall issue a Certificate of Occupancy for the structure or use.

C. Review and Action by Building Official

Upon the request for a Certificate of Occupancy, the Building Official shall inspect the use or structure. If the Building Official determines that the use or structure complies with all applicable provisions of the 2003 INTERNATIONAL BUILDING CODE and this UDO, a Certificate of Occupancy shall be issued.

D. Temporary Certificate of Occupancy

Pending the issuance of a Certificate of Occupancy, a Temporary Certificate of Occupancy may be issued by the Building Official. The Temporary Certificate of Occupancy shall be valid for a period established by the Building Official, pending completion of an addition or during partial occupancy of a structure and as provided in SECTION 110 OF THE 2003 INTERNATIONAL BUILDING CODE.

E. Unlawful to Occupy Without Valid Certificate of Occupancy

It is unlawful to occupy any building that does not have a validly issued Certificate of Occupancy or Temporary Certificate of Occupancy.

3.11 Certificate of Completion

A. Applicability

A certificate of completion shall be required for any of the following:

1. **Use of a parking lot hereafter constructed or enlarged not in conjunction with a building or structure;**

2. **Site changes including but not limited to landscaping, parking lots, façade changes in a design district, or a change to an existing site that is not done in conjunction with a building or structure that requires a building permit; or**

3. **Site improvements associated with a telecommunications tower.**

B. Application

Once all required building inspections have been reviewed by the Building Official and he finds no violation of the provisions of the code, the Building Official shall issue a Certificate of Completion for the structure.

C. Review and Action by Building Official

Upon the request for a Certificate of Completion, the Building Official shall inspect the structure. If the Building Official determines that the structure complies with all applicable provisions of the INTERNATIONAL BUILDING CODE and this UDO, a Certificate of Completion shall be issued.

D. Temporary Certificate of Completion

Pending the issuance of a Certificate of Completion, a Temporary Certificate of Completion may be issued by the Building Official. The Temporary Certificate of Completion shall be valid for a period established by the Building Official, pending compliance with approved development plans.

E. Unlawful to Utilize Without Valid Certificate of Completion

It is unlawful to utilize any structure that does not have a validly issued Certificate of Completion or Temporary Certificate of Completion.

3.12 Sign Permit

A. Sign Permits Required

1. **No sign shall hereafter be installed, erected, moved, added to, or structurally altered without a permit issued by the Administrator, except in conformity with the provisions of this Section, unless he is so directed by the Zoning Board of Adjustment as provided by this UDO.**

2. **A permit shall be required for the following:**

   a. **Apartment/condominium/manufactured home park identification signs;**

   b. **Attached signs;**

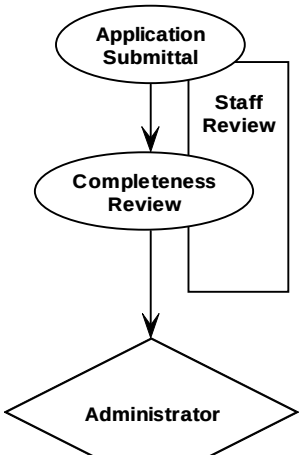
   c. **Development signs;**

   d. **Freestanding signs;**

   e. **Low profile signs;**

   f. **Roof signs; and**

   g. **Subdivision and area identification signs.**



3. No permit shall be required for the following signs:

   a. Real estate, finance, and construction signs;

   b. Directional traffic control signs;

   c. Home occupation signs; and

   d. Noncommercial signs.

4. It shall be the responsibility of the owner or the leasing agent to assign the available freestanding or building sign square footage to individual building tenants. In no case shall this be the responsibility of the Administrator. In no case may the cumulative total of individual signs for a multi-tenant building exceed the allowable area available for attached or freestanding signs.

B. Application

A complete application for a sign permit plan shall be submitted to the Building Official as set forth in Section 3.1.C, Application Forms and Fees.

C. Review and Action by the Administrator

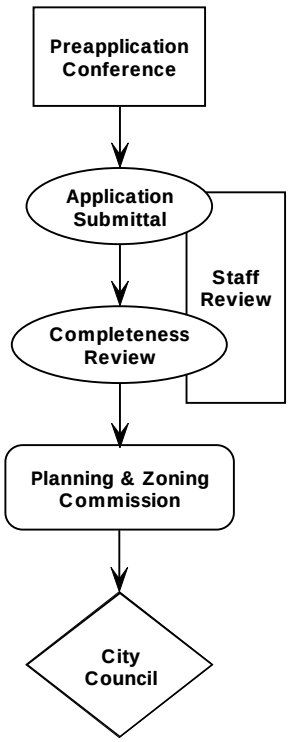
The Administrator must review each sign permit application in light of this UDO and act to approve, approve with conditions, or deny the permit. The Administrator may grant approval with conditions only to the extent that such conditions specify the actions necessary to bring the application into compliance with this UDO.

D. Maintenance and Repair

Cleaning, painting, repainting, and other normal maintenance and repair of a sign shall not require a permit unless a structural or size change is made. Maintenance includes replacement of a sign face. Repainting or replacement of materials in a design district must receive approval of either the Administrator or the Design Review Board as provided in Section 3.7, Design District Building and Sign Review.

Repair of conforming signs, damaged as a result of accidents or acts of God, shall be exempt from permit fees when they are being restored to their original condition.

3.13 Conditional Use Permit



A. Purpose

Conditional use permit review allows for City Council discretionary approval of uses with unique or widely-varying operating characteristics or unusual site development features, subject to the terms and conditions set forth in this UDO.

B. Applicability

Conditional uses are generally compatible with those uses permitted by right in a zoning district, but require individual review of their location, design, configuration, density and intensity, and may require the imposition of additional conditions in order to ensure the appropriateness and compatibility of the use at a particular location.

C. Applications

A complete application for a conditional use permit shall be submitted to the Administrator as set forth in Section 3.1.C, Application Forms and Fees. A complete site plan must accompany all applications for a conditional use permit.

D. Approval Process

1. **Preapplication Conference**

   Prior to the submission of an application for a conditional use permit, all potential applicants shall request a preapplication conference with the Administrator. The purpose of the conference is to respond to any questions that the applicant may have regarding any application procedures, standards, or regulations required by this UDO.

2. **Review and Report by Administrator**

   Once the application is complete, the Administrator shall review the proposed development subject to the criteria enumerated in Section E below, and give a report to the Planning and Zoning Commission on the date of the scheduled Public Hearing.

3. Planning and Zoning Commission Recommendation

a. Notice

The Planning and Zoning Commission shall publish, post, and mail notice in accordance with Section 3.1.F, Required Public Notice.

b. Public Hearing

After review of the conditional use application, subject to the criteria enumerated in Section E below, the Planning and Zoning Commission shall hold a Public Hearing and recommend to the City Council such action as the Planning and Zoning Commission deems proper.

4. City Council Action

a. Notice

The City Council shall publish, post, and mail notice in accordance with Section 3.1.F, Required Public Notice.

b. Public Hearing

The City Council shall hold a Public Hearing after review of the conditional use application, subject to the criteria enumerated in Section E below. With consideration of the recommendation provided by the Planning and Zoning Commission, the City Council shall approve, approve with modifications or conditions, or disapprove the conditional use application.

E. Conditional Use Review Criteria

The City Council may approve an application for a conditional use where it reasonably determines that there will be no significant negative impact upon residents of surrounding property or upon the general public. The City Council shall consider the following criteria in its review:

1. Purpose and Intent of UDO

The proposed use shall meet the purpose and intent of this UDO and the use shall meet all the minimum standards established in this UDO for this type of use.

2. Consistency with Comprehensive Plan

The proposed use shall be consistent with the development policies and goals and objectives as embodied in the Comprehensive Plan for development of the City.

3. Compatibility with Surrounding Area

The proposed use shall not be detrimental to the health, welfare, or safety of the surrounding neighborhood or its occupants, nor be substantially or permanently injurious to neighboring property.

4. Harmonious with Character of Surrounding Area

The proposed site plan and circulation plan shall be harmonious with the character of the surrounding area.

5. Infrastructure Impacts Minimized

The proposed use shall not negatively impact existing uses in the area or in the City through impacts on public infrastructure such as roads, parking facilities, electrical, or water and sewer systems, or on public services such as police and fire protection, solid waste collection, or the ability of existing infrastructure and services to adequately provide services.

6. Effect on Environment

The proposed use shall not negatively impact existing uses in the area or in the City.

F. Additional Conditions

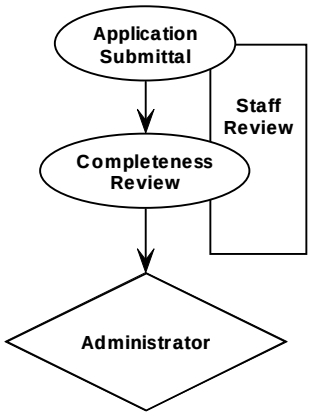
The City Council may impose additional reasonable restrictions or conditions to carry out the spirit and intent of this UDO and to mitigate adverse effects of the proposed use. These requirements may include, but are not limited to, increased open space, loading and parking requirements, additional landscaping, and additional improvements such as curbing, utilities, drainage facilities, sidewalks, and screening.

G. Expiration of Approval

1. Conditional Uses are granted for a period of 12 months from the date of approval by the City Council. If construction of the project has not commenced within this period, the Conditional Use shall expire.

2. The Administrator may extend the Conditional Use Permit for up to one additional six-month period upon demonstration of substantial progress and the lack of changed or changing conditions in the area and upon written request from the applicant, which must be received before the date of expiration.

3.14 Written Interpretation



A. Applicability

The Administrator shall have authority to make all written interpretations concerning the provisions of this UDO and the provisions of Chapter 9 of the City of College Station Code of Ordinances (Subdivision Regulations).

B. Request for Interpretation

A request for interpretation shall be submitted to the Administrator in a form established by the Administrator and made available to the public. Such request shall only be made during development review or when a code enforcement requirement is in question.

C. Interpretation by Administrator

1. The Administrator shall:

   a. Review and evaluate the request in light of the text of this UDO, the Official Zoning Map, the Comprehensive Plan, the Subdivision Regulations, and any other relevant information;

   b. Consult with other staff, as necessary; and

   c. Render an opinion.

2. The interpretation shall be provided to the applicant in writing.

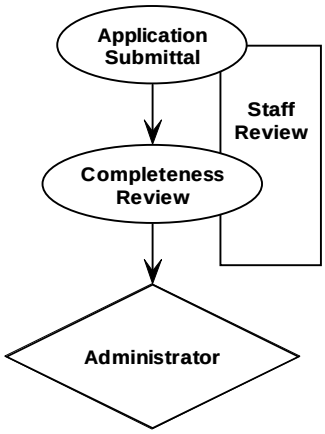
D. Official Record

The Administrator shall maintain an official record of interpretations. The record of interpretations shall be available for public inspection during normal business hours.

E. Appeal

Appeals of written interpretations made by the Administrator shall be filed only by a party affected by the written interpretation with the Zoning Board of Adjustment or for appeals of written interpretations of the Subdivision Regulations, the Planning and Zoning Commission, within 30 days of the decision in accordance with the procedures found in Section 3.17, Administrative Appeals. If no appeal is filed within 30 days, the written interpretation shall be final.

3.15 Administrative Adjustment



A. Purpose

Administrative adjustments are specified deviations from otherwise applicable development standards where development is proposed that would be:

1. Compatible with surrounding land uses;

2. Harmonious with the public interest; and

3. Consistent with the purposes of this UDO.

B. Applicability

The Administrator shall have the authority to authorize adjustments of up to ten percent (10%) from any numerical zoning standard set forth in Articles 5, 6, or 7 of this UDO. Any adjustment request greater than ten percent (10%) shall be treated as a variance handled by the Zoning Board of Adjustment subject to the requirements of Section 3.16, Variances.

C. Application

A complete application for an administrative adjustment shall be submitted to the Administrator as set forth in Section 3.1.C, Application Forms and Fees.

D. Review and Action by Administrator

The Administrator shall review the application and approve, approve with conditions, or deny the application based upon the criteria below. A written decision including affirmative findings on the criteria set forth below shall be sent to the applicant.

E. Administrative Adjustment Criteria

1. To approve an application for an administrative adjustment, the Administrator shall make an affirmative finding that the following criteria are met:

a. That granting the adjustment will ensure the same general level of land use compatibility as the otherwise applicable standards;

b. That granting the adjustment will not materially or adversely affect adjacent land uses or the physical character of uses in the immediate vicinity of the proposed development; and

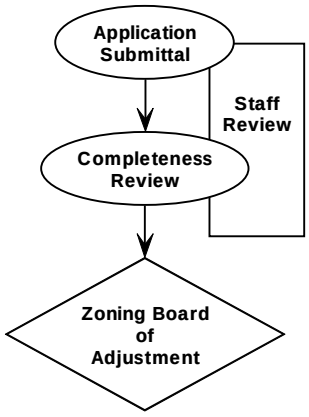
c. That granting the adjustment will be generally consistent with the purposes and intent of this UDO.

2. In the event that the Administrator finds that the applicant has not met the above criteria, the applicant may request that the application be forwarded to the Zoning Board of Adjustment as a variance request subject to the requirements of Section 3.16, Variances.

3.16 Variances

A. Purpose

The Zoning Board of Adjustment shall have jurisdiction to hear requests for a variance from the terms of this UDO. The Zoning Board of Adjustment shall be authorized to grant a variance from the terms hereof if, and only if, they find that the strict enforcement of this UDO would create a substantial hardship to the applicant by virtue of unique special conditions not generally found within the City, and that the granting of the variance would preserve the spirit and intent of the Ordinance, and would serve the general interests of the public and the applicant. Variances 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.



B. Applicability

The Zoning Board of Adjustment shall have the authority to grant variances from the standards in this UDO except for waivers of the standards in Article 8, Subdivision Design and Improvements, which may be made by the Planning and Zoning Commission during the subdivision process and requests for relief from a site plan requirement imposed by the Administrator when the requirement was necessary to gain compliance with the criteria for approval of a site plan in Section 3.5.E, Site Plan Review Criteria, which may be made by the Design Review Board. Any variance request up to ten percent (10%) may be treated as an administrative adjustment subject to the requirements of Section 3.15, Administrative Adjustment.

C. Application

A complete application for a variance shall be submitted to the Administrator as set forth in Section 3.1.C, Application Forms and Fees.

D. Action by the Zoning Board of Adjustment

1. Public Hearing

Following notice in accordance with Section 3.1.F, Required Public Notice, the Zoning Board of Adjustment shall hold a public hearing.

2. Variance Review

Upon completion of the public hearing and after review of the variance application subject to the criteria listed in Section E below, the Zoning Board of Adjustment shall make a written finding and give its approval, approval with limitations, or disapproval of the variance.

E. Criteria for Approval of Variances

1. Required Findings

The Zoning Board of Adjustment may authorize a variance from the requirements of this UDO when an unnecessary hardship would result from the strict enforcement of this UDO. In granting a variance, the Zoning Board of Adjustment shall prescribe only limitations that it deems not prejudicial to the public interest. In making the required findings, the Zoning Board of Adjustment shall take into account the nature of the proposed use of the land involved, the existing use of land in the vicinity, the possibility that a nuisance will be created, and the probable effect of such variance upon traffic conditions and upon public health, convenience, and welfare of the vicinity. No variance shall be granted unless the Board makes affirmative findings in regard to all of the following criteria:

a. Extraordinary Conditions

That there are extraordinary or special conditions affecting the land involved such that strict application of the provisions of this UDO will deprive the applicant of the reasonable use of his land. For example, the variance is justified because of topographic or other special conditions unique to the property and development involved, in contradistinction to the mere inconvenience or financial disadvantage.

b. Enjoyment of a Substantial Property Right

That the variance is necessary for the preservation and enjoyment of a substantial property right of the applicant.

c. Substantial detriment

That the granting of the variance 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 UDO.

d. Subdivision

That the granting of the variance will not have the effect of preventing the orderly subdivision of other land in the area in accordance with the provisions of this UDO.

e. Flood Hazard Protection

That the granting of the variance will not have the effect of preventing flood hazard protection in accordance with Article 8, Subdivision Design and Improvements.

f. Other Property

That these conditions do not generally apply to other property in the vicinity.

g. Hardships

That the hardship is not the result of the applicant's own actions.

h. Comprehensive Plan

That the granting of the variance would not substantially conflict with the Comprehensive Plan and the purposes of this UDO.

i. Utilization

That because of these conditions, the application of the UDO to the particular piece of property would effectively prohibit or unreasonably restrict the utilization of the property.

2. Limitations

The Zoning Board of Adjustment may not grant a variance where the effect would be any of the following:

a. To allow the establishment of a use not otherwise permitted in the applicable zoning district;

b. To increase the density of a use, above that permitted by the applicable district;

c. To extend physically a nonconforming use of land; or

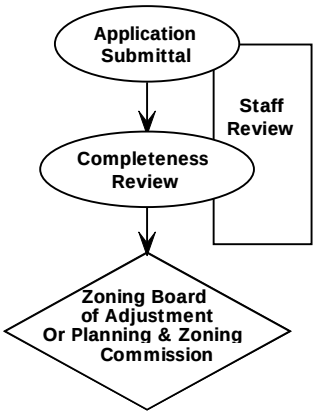
d. To change the zoning district boundaries shown on the Official Zoning Map.

3. Profitability Not to Be Considered

The fact that property may be utilized more profitably should a variance be granted may not be considered grounds for a variance.

3.17 Administrative Appeals

A. Applicability



1. Appeals to the Zoning Board of Adjustment may be taken by any person aggrieved by, or any officer or department affected by, specific points found in any of the following final decisions of the Administrator:

   a. Written interpretations of the text of this UDO; or

   b. Denial of Building Permit or site plan based on interpretation of Article 7, General Development Standards.

2. Appeals to the Planning and Zoning Commission may be taken by any person aggrieved by, or any officer or department affected by specific points found in the Administrator's written interpretations of the text of the Subdivision Regulations.

B. Effect of Appeal

An appeal to the ZBA stays all legal proceedings in furtherance of the action appealed from, unless the Administrator from whom the appeal is taken certifies to the Zoning Board of Adjustment after the notice of appeal shall have been filed with him, that by reason of facts stated in the certificate a stay would, in his opinion, cause imminent peril to life or property. In such case, proceedings shall not be stayed otherwise than by a restraining order which may be granted by the Board or by a Court of record on application, on notices to the officer from whom the appeal is taken, and on due cause shown.

C. Deadline for Submission of Application

An appeal from any final decision of the Administrator or Director of Planning and Development Services shall be filed with the Administrator within 30 days of receipt of the decision. If no appeal is filed within 30 days, the decision shall be final.

D. Application

A complete application for an administrative appeal shall be submitted to the Administrator as set forth in Section 3.1.C, Application Forms and Fees.

E. Record of Administrative Decision

The Administrator shall forthwith transmit to the Zoning Board of Adjustment or the Planning and Zoning Commission, as appropriate, all the papers constituting the record of the action appealed.

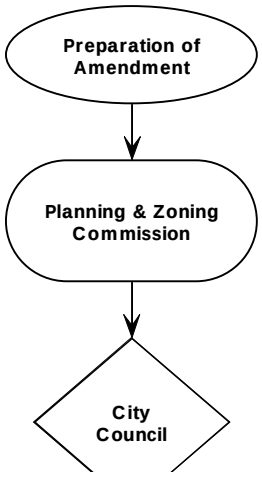
F. Hearing

The Zoning Board of Adjustment or Planning and Zoning Commission, as appropriate, shall hear the appeal within 60 days of the date of the appeal application or such extension as requested by the applicant or Administrator, give public notice as set forth in Section 3.1.F, Required Public Notice, as well as due notice to the parties in interest, and decide the same within a reasonable time.

G. Final Action by Zoning Board of Adjustment or Planning and Zoning Commission

The Zoning Board of Adjustment or Planning and Zoning Commission, as appropriate, may only consider the specific interpretive language of the Administrator and may reverse or affirm wholly or partly, or may modify the interpretation appealed from. In any case, the Board or Commission shall only present findings regarding specific errors made in the Administrator's interpretation.

3.18 Text Amendment



A. Purpose

For the purpose of establishing and maintaining sound, stable, and desirable development within the territorial limits of the City, the text of this UDO may be altered from time-to-time.

B. Initiation of Amendments

An amendment to the text of this UDO may be initiated by:

1. City Council on its own motion;

2. The Planning and Zoning Commission; or

3. The Administrator.

C. Approval Process

1. Review and Report by Administrator

The Administrator shall review the proposed text amendment in light of the Comprehensive Plan and give a report to the Planning and Zoning Commission.

2. Referral To Planning and Zoning Commission

The Administrator shall refer the same to the Planning and Zoning Commission for study, hearing, and report. The Planning and Zoning Commission may direct staff to proceed with drafting the amendment and scheduling the necessary public hearings, forward the proposed text amendment to City Council for direction, or determine not to pursue the proposed amendment. The City Council may not enact the proposed text amendment until the Planning and Zoning Commission makes its report to the City Council.

3. Recommendation by Planning and Zoning Commission

a. Notice

The Administrator shall publish and post public notice in accordance with Section 3.1.F, Required Public Notice, and shall recommend to the City Council such action as the Commission deems proper.

b. Public Hearing

A public hearing shall be held by the Planning and Zoning Commission before making a recommendation to the City Council.

4. City Council Action

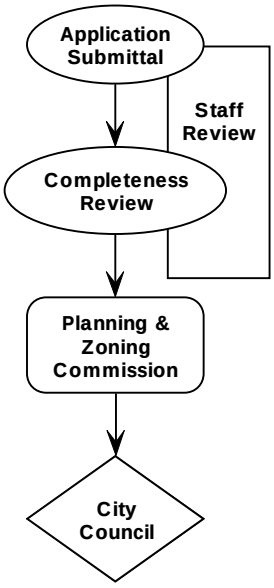
a. Notice

The Administrator shall publish and post notices in accordance with Section 3.1.F, Required Public Notice, before taking final action on the amendment.

b. Public Hearing

The City Council shall hold a public hearing and approve, approve with modifications or conditions, or disapprove the text amendment.

3.19 Comprehensive Plan Amendment



A. Purpose

For the purpose of establishing and maintaining sound, stable, and desirable development within the territorial limits of the City, the Comprehensive Plan, including specifically, the Land Use Plan and the Thoroughfare Plan, shall be amended only based upon changed or changing conditions in a particular area or in the City.

B. Initiation of Amendment

An amendment may be initiated by:

1. City Council on its own motion;

2. The Planning and Zoning Commission;

3. The Administrator; or

4. The property owner(s).

C. Amendment Application

A complete application for a Comprehensive Plan amendment shall be submitted to the Administrator as set forth in Section 3.1.C, Application Forms and Fees.

D. Approval Process

1. Review and Report by Administrator

Once the application is complete, the Administrator shall review the proposed amendment in light of the remainder of the Comprehensive Plan and conditions in the City, and give a report to the Commission and Council.

2. Recommendation by Planning and Zoning Commission

a. Notice

The Planning and Zoning Commission shall publish and post public notice in accordance with Section 3.1.F, Required Public Notice, and shall recommend to the City Council such action as the Commission deems proper.

b. Public Hearing

A public hearing shall be held by the Planning and Zoning Commission before making a report to the City Council.

c. Review and Action by Planning and Zoning Commission

The Planning and Zoning Commission shall review the amendment and approve, approve with conditions, deny, or determine that the proposed development complies with the Comprehensive Plan and no amendment is required. If the Commission determines that no amendment is required, the applicant may proceed with the next step in the development process. No further action by the City Council is required.

3. City Council Action

a. Notice

The City Council shall publish and post public notice in accordance with Section 3.1.F, Required Public Notice, before taking final action on a petition to amend the Comprehensive Plan.

b. Public Hearing

The City Council shall hold a public hearing and approve, approve with modifications, or disapprove the application to amend the Comprehensive Plan.

c. Review and Final Action by City Council

The City Council shall review the amendment and approve, approve with conditions, or deny the application.

E. Limitation on Reapplication

If a petition for a plan amendment is denied by the City Council, another petition for reclassification of the same property or any portion thereof shall not be considered within a period of 180 days from the date of denial, unless the Planning and Zoning Commission finds that one of the following factors are applicable:

1. There is a substantial change in circumstances relevant to the issues and/or facts considered during review of the application that might reasonably affect the decision-making body's application of the relevant review standards to the development proposed in the application; or

2. New or additional information is available that was not available at the time of the review that might reasonably affect the decision-making body's application of the relevant review standards to the development proposed; or

3. A new application is proposed to be submitted that is materially different from the prior application (e.g., proposes new uses or a substantial decrease in proposed densities or intensities); or

4. The final decision on the application was based on a material mistake of fact.

APPENDIX III

Article 4. Zoning Districts

4.1 Establishment of Districts

For the purpose of this UDO, portions of the City, as specified on the Official Zoning Map of the City, are hereby divided into the zoning, design, and overlay districts enumerated below. The intensity regulations applicable for such zoning districts are designated in Article 5 and the use regulations are designated in Article 6 of this UDO.

Residential Zoning Districts		
A-O	Agricultural-Open	
A-OR	Rural Residential Subdivision	
R-1	Single-Family Residential	
R-1B	Single-Family Residential	
R-2	Duplex Residential	
R-3	Townhouse	
R-4	Multi-Family	
R-6	High Density Multi-Family	
R-7	Manufactured Home Park	
Non-Residential Zoning Districts		
A-P	Administrative/Professional	
C-1	General Commercial	
C-2	Commercial-Industrial	
C-3	Light Commercial	
M-1	Light Industrial	
M-2	Heavy Industrial	
C-U	College and University	
R & D	Research & Development	
Planned Districts		
P-MUD	Planned Mixed-Use District	
PDD	Planned Development District	
Design Districts		
WPC	Wolf Pen Creek Development Corridor	
Northgate	NG-1	Core Northgate
	NG-2	Commercial Northgate
	NG-3	Residential Northgate
Overlay Districts		
OV	Corridor Overlay	
RDD	Redevelopment District	
KO	Krenek Tap Overlay	

4.2 Official Zoning Map

A. The City is hereby divided into the above zoning districts, as shown on the Official Zoning Map, together with all explanatory matter thereon, and adopted by reference and declared to be a part of this UDO. The Official Zoning Map shall be identified by the signature of the Mayor, attested by the City Secretary, and bearing the Seal of the City of College Station under the following words:

"This is to certify that this is the Official Zoning Map referred to in Section 4.2 of the Unified Development Ordinance (UDO) of the City of College Station, Texas."

B. If, in accordance with the provisions of this UDO and §211.006 of the Texas Local Government Code, as amended, changes are made in the district boundaries or other matter portrayed on the Official Zoning Map, such changes shall be entered on the Official Zoning Map promptly after the amendment has been approved by the City Council and signed by the Mayor.

C. Approved zoning changes shall be entered on the Official Zoning Map by the Administrator and each change shall be identified on the Map with the date and number of the Ordinance making the change.

D. No change of any nature shall be made on the Official Zoning Map or matter shown thereon except in conformity with procedures set forth in this UDO. Any unauthorized change of whatever kind by any person or persons shall be considered a violation of this UDO and punishable as provided under Section 10.2, Penalties for Violation.

E. Regardless of the existence of purported copies of the Official Zoning Map which may from time-to-time be made or published, the Official Zoning Map, which shall be located in the office of the Development Services Department, shall be the final authority as to the current zoning status of land and water areas in the City. The Official Zoning Map shall be available to the public at all hours when the City Hall is open to the public.

F. An electronic version of the Official Zoning Map, kept as a map layer in the City's Geographic Information System (GIS) in the Office of the Development Services Department, may be used and maintained as the Official Zoning Map.

G. A zoning atlas, or zoning book, may be prepared and maintained as necessary for the use of City employees and has no official status.

4.3 Replacement of Official Zoning Map

A. This UDO hereby incorporates the Official Zoning Map.

B. Unless the prior Official Zoning Map has been lost or has been totally destroyed, the prior map or any significant parts thereof remaining shall be preserved, together with all available records pertaining to its adoption or amendment.

4.4 Rules for Interpretation of District Boundaries

Where uncertainty exists as to the boundaries of districts as shown on the Official Zoning Map, the following rules shall apply:

A. Boundaries indicated as approximately following the centerlines of streets, highways, or alleys shall be construed to follow such centerlines.

B. Boundaries indicated as approximately following platted lot lines shall be construed as following such lot lines.

C. Boundaries indicated as approximately following city limits shall be construed as following such city limits.

D. Boundaries indicated as following railroad lines shall be construed to be midway between the rails of the main line.

E. Boundaries indicated as following shorelines shall be construed to follow such shorelines, and in the event of change in the shoreline shall be construed as moving with the actual shoreline. Boundaries indicated as approximately following the centerlines of streams, rivers, canals, lakes, or other bodies of water shall be construed to follow such centerlines.

F. Boundaries indicated above as parallel to, or extensions of features, shall be so construed. The scale of the map shall determine distances not specifically indicated in a classification amendment.

G. Where physical or cultural features existing on the ground are at variance with those shown on the Official Zoning Map, or in other circumstances not covered above, the Zoning Board of Adjustment (ZBA) shall interpret the district boundaries as provided in Section 2.3, Zoning Board of Adjustment.

4.5 Application of District Regulations

A. Uniformity

The zoning regulations as set forth by this UDO within each district shall be applied uniformly for each class or kind of building; however, the regulations vary from district to district in accordance with their respective purposes for the character of each district and its peculiar suitability for particular uses, with a view of conserving the value of buildings and encouraging the most appropriate use of land in the municipality.

B. Newly Annexed Territory

The administration of this UDO to newly annexed territory shall consider the following provisions:

1. **Any territory hereafter annexed to the City of College Station, not otherwise classified at the time of annexation, shall be classified by applying the A-O, Agricultural Open district.**

2. **Upon annexation, no person shall initiate any development or construction activity, including site preparation, foundation forming, sign erection, construction, improvement, repair or demolition within a newly annexed area without first applying for and obtaining the appropriate permits or other approvals required by this UDO.**

3. **No person relying on a claim of vested rights shall continue any development activity within a newly annexed area without first applying for and obtaining a building permit; however, persons are not precluded from the following activities:**

   a. **Continuing to use land in the area in the manner in which the land was being used on the date the annexation proceedings were instituted if the land use was legal at that time; or**

   b. **Beginning to use land in the area in the manner that was planned for the land before the 90th day before the effective date of the annexation if:**

      1) **One or more licenses, certificates, permits, approvals, or other forms of authorization by a governmental entity were required by law for the planned land use; and**

      2) **A completed application for the initial authorization was filed with the governmental entity before the date the annexation proceedings were instituted. For purposes of this section, a completed application is filed if the application includes all documents and other information designated as required by the governmental entity in a written notice to the applicant.**

4. **In accordance with §43.002. Continuation of Land Use, of the TEXAS LOCAL GOVERNMENT CODE, the City may apply the following regulations within newly annexed territory:**

   a. **A regulation relating to the location of sexually-oriented businesses;**

   b. **A regulation relating to preventing imminent destruction of property or injury to persons;**

c. A regulation relating to public nuisances;

d. A regulation relating to flood control;

e. A regulation relating to the storage and use of hazardous substances;

f. A regulation relating to the sale and use of fireworks; or

g. A regulation relating to the discharge of firearms.

5. Any person with an interest in property within a newly annexed area may apply to the Administrator for a determination of the vested rights such person has, if any, to continue development activities initiated prior to annexation. Such determinations shall be based upon all pertinent facts and upon the relevant decisions of State and Federal courts. The applicant may submit any written evidence to the Administrator for consideration. The Administrator's written determination shall be final unless duly appealed to the Zoning Board of Adjustment.

APPENDIX IV

Article 5. District Purpose Statements and Supplemental Standards

5.1 Residential Zoning Districts

Occupancy of any dwelling in the following districts shall be limited to "family" as defined by this UDO.

A. Agricultural-Open (A-O)

This district includes lands within the corporate limits of the City, which are not subdivided and are relatively undeveloped. This district is intended to be applied to land which is used for agricultural, very low-intensity residential, or open space uses, but which is projected in the Comprehensive Plan for conversion to more intensive urban uses at such time as community services are available and community needs for such uses are present. As such, it is a reserved area in which the future growth of the City can occur.

B. Rural Residential Subdivision (A-OR)

This district allows different infrastructure standards from the more urbanized developments within the City, and is intended for developments of a minimum of 50 acres that are to be subdivided into single-family tracts no smaller than one acre each. Generally, locations are intended to be at the periphery of the City where infrastructure may not yet be available and not within the urbanized core. In the developed area of the City, where infrastructure is available for extension, there may be locations where a rural subdivision would be appropriate depending on surrounding land uses and the existing road system.

C. Single-Family Residential (R-1)

This district includes lands planned for single-family residential purposes and accessory uses. This district is designed to accommodate sufficient, suitable residential neighborhoods, protected and/or buffered from incompatible uses, and provided with necessary and adequate facilities and services.

D. Single-Family Residential (R-1B)

This district is designed to provide land for detached single-family residential suburban development. This district contains lots that are larger than the minimum R-1 lot, but smaller than the minimum A-OR.

E. Duplex Residential (R-2)

This district contains land that has been planned for duplex residential purposes and associated uses. Characterized by moderate density, it may be utilized as a transitional zone.

The following supplemental standards shall apply to this district:

1. **Single-family dwellings shall conform to R-1, Single-Family Residential Standards.**
2. **Where parking is provided in the front yard of a duplex, an eight-foot setback shall be required between the property line and the nearest side of the parking pad. This eight-foot setback area must contain a three-foot screen consisting of a continuous berm, hedge, or wall. In addition, an eight-foot setback shall be required between the dwelling unit and the nearest side of the parking pad.**

F. Townhouse (R-3)

This district contains land, which is to be used for a unique type of dwelling, typically designed for individual ownership, or ownership in-groups of single-family attached residences constructed on individually platted lots.

The following supplemental standards shall apply to this district:

Single-family dwellings shall conform to R-1, Single-Family Residential standards.

G. Multi-Family (R-4)

This district provides land for development of apartment and condominium units at low to medium densities. This district may serve as a transitional zone between lower density residential areas and other residential or non-residential areas.

The following supplemental standards shall apply to this district:

1. Duplex dwelling units shall conform to R-2, Duplex Residential standards.
2. Townhouse dwelling units shall conform to R-3, Townhouse standards.

H. High Density Multi-Family (R-6)

This district contains land used for a variety of housing types, but primarily multiple family dwellings. This district is designed to provide the highest density in the community for developments in close proximity to the University.

The following supplemental standards shall apply to this district:

1. Duplex dwelling units shall conform to R-2, Duplex Residential standards.
2. Townhouse dwelling units shall conform to R-3, Townhouse standards.

I. Manufactured Home Park (R-7)

This district contains land that is located, designed and operated as a site for residential uses consisting of manufactured homes in accordance with the permitted uses. The following supplemental standards shall apply to this district:

1. The construction, reconstruction, alteration, or enlargement of a manufactured home park must be pursuant to an approved site plan.
2. Minimum manufactured home park area is two contiguous acres.
3. Maximum gross density shall be 10 dwelling units per acre.
4. Minimum setback for a manufactured home from a public street shall be 15 feet.
5. Minimum setback for a manufactured home from a lot line shall be 15 feet.
6. Minimum setback for a manufactured home from a private street, parking, or other common area shall be 15 feet.
7. Minimum setback between two manufactured homes shall be 15 feet; except that private accessory storage structures located on an individual manufactured home lot need not maintain a separation from the manufactured home that occupies the same lot.
8. Parking areas may be located within common parking areas or on individual manufactured home lots, provided that the parking required for each manufactured home is located within 200 feet of each lot.
9. Each manufactured home park lot shall have access to public utilities, and it shall have vehicular access to/from either a public right-of-way or private drive.

5.2 Residential Dimensional Standards

The following table establishes dimensional standards that shall be applied within the Residential Zoning Districts, unless otherwise identified in this UDO.

	Residential Zoning Districts									
	A-0	A-OR	R-1	R-1B	R-2	R-3	R-4	R-6	R-7	Accessory Structures
Min. Lot Area per Dwelling Unit (DU)	5 Acres	1 Acre	5,000 SF	8,000 SF	3,500 SF	2,000 SF	None	None		Refer to Section 6.4. Accessory Uses
Min. Lot Width	None	None	50'	None	35'/DU(E)	None	None	None		
Min. Lot Depth	None	None	100'	None	100'	None	None	None		
Min. Front Setback (H)	50'	50'	25'(D)	25'(D)	25'(D)	25'(D)	25'(D)	25'(D)		
Min. Side Setback	20'	20'	7.5'	7.5'(C)	7.5'(C)	(A)	(A)(B)	(A)(B)		
Min. Street Side Setback	15'	15'	15'	15'	15'	15'	15'	15'		
Min. Side Setback between Structures (B)			15'	15'	15'	7.5'	7.5'	7.5'		
Min. Rear Setback	50'	50'	20'	20'	20'(F)	20'	20'	20'		
Max. Height	35'	35'	2.5 Stories/ 35'	2.5 Stories/ 35'	2.5 Stories/ 35'	35'	G	G		
Max. Dwelling Units/Acre	0.2	1.0	8.0	6.0	12.0	14.0	20.0	30.0	10.0	N/A

Notes:

(A) A minimum side setback of 7.5 feet is required for each building or group of contiguous buildings.

(B) Lot line construction on interior lots with no side yard or setback is allowed only where the building is covered by fire protection on the site or by dedicated right-of-way or easement.

(C) Zero lot line construction of a residence is allowed where property on both sides of a lot line is owned and/or developed simultaneously by single party. Development under lot line construction requires prior approval by the Zoning Official. In no case shall a single-family residence or duplex be built within 15 feet of another primary structure. See Article 8, Subdivision Design and Improvements, for more information.

(D) Minimum front setback may be reduced to 15 feet when approved rear access is provided, or when side yard or rear yard parking is provided.

(E) The minimum lot width for a duplex dwelling may be reduced to 30 feet per dwelling unit when all required off-street parking is provided in the rear or side yard.

(F) Minimum rear setback may be reduced to 15 feet when parking is provided in the front yard or side yard.

(G) Shall abide by Section 7.1.H, Height.

(H) Reference Section 7.1.D.1.e for lots created by plat prior to July 15, 1970.

5.3 Non-Residential Zoning Districts

A. Administrative-Professional (A-P)

This district will accommodate selected commercial businesses that provide a service rather than sell products, either retail or wholesale. The uses allowed have relatively low traffic generation and require limited location identification.

B. General Commercial (C-1)

This district is designed to provide locations for general commercial purposes, that is, retail sales and service uses that function to serve the entire community and its visitors.

C. Commercial-Industrial (C-2)

This district is designed to provide a location for outlets offering goods and services to a limited segment of the general public. The uses included primarily serve other commercial and industrial enterprises.

D. Light Commercial (C-3)

This district is designed to provide locations for commercial sites that are too small for many permitted uses in the C-1, General Commercial District. These are moderately low traffic generators that have little impact on adjacent areas or on adjacent thoroughfares.

The following supplemental standard shall apply to this district:

No C-3 zoning district, including adjacent C-3 zoning districts, shall exceed a combined total of five acres in area.

E. Light Industrial (M-1)

This district is provided for offices, research and development activities and high technological, light manufacturing, non-polluting industries that are self-contained. It is further intended that the Light Industrial District may be compatible with adjacent uses in any other district, depending upon the character of the operation and the conditions imposed.

F. Heavy Industrial (M-2)

This district is designed to provide land for manufacturing and industrial activities with generation of nuisance characteristics greater than activities permitted in the C-2 and M-1 zoning districts. Permitted uses within this district are generally not compatible with residential uses of any density or lower intensity commercial uses.

G. College and University (C-U)

This district is applied to land which is located within the boundaries of the Texas A&M University campus or are owned by the University.

H. Research & Development (R&D)

This district is designed for administrative and professional offices, and research and development oriented light industrial uses meeting the standards and performance criteria established in this section. These uses could be compatible with low intensity uses and all residential uses, thereby maintaining the character and integrity of neighborhoods. This district should be carefully located in areas where there is sufficient access to arterial level thoroughfares. The following supplemental standards shall apply to this district:

1. Performance Criteria for All Uses

a. Impervious Surface: Impervious surface is limited to 70 percent.

b. Floor Area Ratio (FAR): The maximum FAR in this district shall not exceed 50 percent.

c. Building Materials: All main buildings shall have not less than 90 percent of the total exterior walls, excluding doors, windows and window walls, constructed or faced with brick, stone, masonry, stucco or precast concrete panels.

d. Signs: Any detached or freestanding signage shall meet the criteria for low-profile signs established in Section 7.4, Signs. Materials shall match building facade materials.

e. Other District Regulations: Uses should be designed to provide adequate access and internal circulation such that travel through residentially-zoned or developed areas is precluded. All processes are to be conducted inside buildings and there shall be no outside storage or business activity. Any business operations occurring during the hours between 7 p.m. and 6 a.m. must meet all the performance criteria established in this section, as well as limit vehicular access into the site through a designated access point that mitigates any adverse impacts of the traffic on surrounding residential areas.

2. Additional Standards

a. This section may be applied to any conditional use proposed in this district when either the Administrator or Development Engineer believe that the existing performance standards contained in this UDO are insufficient to address the proposed use because of its technology or processes and thus, will not effectively protect adjacent existing or future land uses. One or both shall so advise the Planning and Zoning Commission in writing.

b. In such cases, the Planning and Zoning Commission shall hold a hearing to determine whether a professional investigation or analysis should be performed to identify and establish additional reasonable standards. If so determined, based on the information presented at the hearing, the Planning and Zoning Commission will identify the areas to be investigated and analyzed and will direct the staff to conduct the appropriate research necessary to develop standards for successful management of the new project.

Any and all costs incurred by the City to develop additional standards shall be charged to the applicant and included as an addition to the cost of either the building permit fee or zoning application fee.

5.4 Non-Residential Dimensional Standards

The following table establishes dimensional standards that shall be applied within the Non-Residential Zoning Districts, unless otherwise identified in this UDO:

	Non-Residential Zoning Districts						
	A-P	C-1	C-2	C-3	M-1	M-2	R&D
Min. Lot Area	None	None	None	None	None	None	20,000 SF
Min. Lot Width	24'	24'	24'	24'	100'	None	100'
Min. Lot Depth	100'	100'	100'	100'	200'	None	200'
Min. Front Setback	25'	25'	25'	25'	25'	25'	30'
Min. Side Setback	(A)(B)	(A)(B)	(A)(B)	(A)(B)	(A)(B)	(A)(B)	30' (B)
Min. St. Side Setback	15'	15'	15'	15'	15'	25'	30'
Min. Rear Setback	15'	15'	15'	15'	15'	15'	30'(D)
Max. Height	(C)	(C)	(C)	(C)	(C)	(C)	(C)

Notes:

(A) A minimum side setback of 7.5 feet shall be required for each building or group of contiguous buildings.

(B) Lot line construction on interior lots with no side yard or setback is allowed only where the building is covered by fire protection on the site or separated by a dedicated public right-of-way or easement of at least 15 feet in width.

(C) See Section 7.1.H, Height.

(D) When abutting non-residentially zoned or used land, the rear setback may be reduced to 20 feet.

5.5 Planned Districts (P-MUD and PDD)

A. The Planned Mixed-Use District (P-MUD) and the Planned Development District (PDD) are intended to provide such flexibility and performance criteria which produce:

1. **A maximum choice in the type of environment for working and living available to the public;**
2. **Open space and recreation areas;**
3. **A pattern of development which preserves trees, outstanding natural topography and geologic features, and prevents soil erosion;**
4. **A creative approach to the use of land and related physical development;**
5. **An efficient use of land resulting in smaller networks of utilities and streets, thereby lowering development costs;**
6. **An environment of stable character in harmony with surrounding development; and**
7. **A more desirable environment than would be possible through strict application of other sections or districts in this UDO.**

B. Planned Mixed-Use District (P-MUD): The purpose of this district is to permit areas which encourage mixing of land uses such as retail/commercial, office, parks, multi-family, and attached single-family. These uses are developed together in a manner that allows interaction between the uses and that allows each use to support the other uses. Within any P-MUD, residential and non-residential land uses shall each constitute at least 20 percent of the overall land uses within the mixed-use development. The remaining 60 percent may be any combination of residential or non-residential land uses. The residential uses provide the patrons for the office and commercial uses. The success of these mixed-use areas is directly related to the sensitive master planning of the site layout.

The P-MUD is appropriate in areas where the land use plan reflects Planned Development or Redevelopment as a land use category. A P-MUD may be used to permit new or innovative concepts in land utilization not permitted by other zoning districts. While greater flexibility is given to allow special conditions or restrictions that would not otherwise allow the development to occur, procedures are established to insure against misuse of increased flexibility.

C. Planned Development District (PDD): The purpose of the Planned Development District is to promote and encourage innovative development that is sensitive to surrounding land uses and to the natural environment. If this necessitates varying from certain standards, the proposed development should demonstrate community benefits.

The PDD is appropriate in areas where the land use plan reflects the specific commercial or residential uses proposed in the PDD. A PDD may be used to permit new or innovative concepts in land utilization not permitted by other zoning districts. While greater flexibility is given to allow special conditions or restrictions that would not otherwise allow the development to occur, procedures are established to insure against misuse of increased flexibility. A PDD should not be used to:

1. **Guarantee specific site or building characteristics within a development;**
2. **Apply additional development standards to a single site;**
3. **Vary from certain development standards unless community benefits outweigh the requested modifications; or**
4. **Combine commercial and residential land uses. A P-MUD shall be used for mixed-use developments.**

5.6 Design Districts

A. Wolf Pen Creek (WPC)

This district is designed to promote development that is appropriate along Wolf Pen Creek, which, upon creation was a predominantly open and undeveloped area challenged by drainage, erosion, and flooding issues. Development proposals are designed to encourage the public and private use of Wolf Pen Creek and the development corridor as an active and passive recreational area while maintaining an appearance consistent with the Wolf Pen Creek Master Plan.

The following supplemental standards shall apply to this district:

1. **Development Criteria**
   - a. **This Section is intended to ensure that development occurs in compliance with the Master Plan for the Wolf Pen Creek Corridor. Pertinent to appearance is the design of the site, building and structures, plantings, signs, street hardware, and miscellaneous other objects that are observed by the public.**
   - b. **These criteria are not intended to restrict imagination, innovation, or variety, but rather to assist in focusing on design principles, which can result in creative solutions that will develop a satisfactory visual appearance within the City, preserve taxable values, and promote the public health, safety, and welfare.**
   - c. **In order to create and then preserve a distinctive atmosphere and character in the Wolf Pen Creek development corridor, elements listed in 3.6.F, Additional Review Criteria, shall be considered in the review of all projects and proposals for development.**
2. **Dedication/Development of Drainage and Pedestrian Accessways**

   Except for minimum reservation areas dedicated or developed in accordance with the Wolf Pen Creek Master Plan, the flood fringe area may be reclaimed upon approval of reclamation plans by the City Engineer.
   - a. **The Upstream Phase of the development corridor along Wolf Pen Creek means the area between Texas Avenue and Dartmouth Drive. The area to be dedicated or developed consists of the properties described in Ordinance #2640 and the floodway and the minimum reservation line as defined in the Wolf Pen Creek Master Plan for all other properties within the Upstream Phase of the Development Corridor.**
   - b. **The Downstream Phase of the development corridor along Wolf Pen Creek means the area between Dartmouth Drive and the Earl Rudder Freeway. The area to be dedicated or developed consists of property described in Ordinance #2534 and shall be referred to as the minimum reservation area.**
   - c. **Where applicable, the floodway and the minimum reservation line for the Upstream Phase of the development corridor, and/or the minimum reservation area for the Downstream Development Phase, shall be indicated on the site plan.**
   - d. **Upon development of the property within the Wolf Pen Creek development corridor, the minimum reservation area may be:**

(1) Dedicated in fee simple or as a drainage and access easement, or

(2) Improved by the developer to conform with the standards of the development corridor.

e. Property within the minimum reservation area will:

(1) Provide drainage capacity necessary to convey the floodwaters of Wolf Pen Creek while accommodating the increased runoff from development of properties along the creek;

(2) Provide an area to accommodate pedestrian access from, to, and between developments along the banks of Wolf Pen Creek in order to lessen congestion along adjacent roadways for patrons of businesses along the corridor;

(3) Provide an area as necessary to address and prevent erosion of creek banks resulting from development both along the Creek in the development corridor and from floodwaters received from upstream of the development corridor;

(4) Provide an area necessary for public improvements to the development corridor including, but not limited to, trails, lighting, irrigation, benches, kiosks, foot bridges with hand rails, trash receptacles, culverts, signage, landscaping, emergency call boxes, public art, and bicycle racks; and

(5) Provide access for drainage and facilities maintenance as necessary to support private development within the development corridor.

f. All development shall be in accordance with the Wolf Pen Creek Corridor Study and Master Plan (1988), the Revised Wolf Pen Creek Master Plan (1998) and the "Conceptual Plan, Trail System" prepared by Robert B. Ruth, dated February 25, 2001.

g. Permitted private development within the minimum reservation area where dedication is not made may include, but is not limited to:

(1) Cleaning and removal of brush and bank stabilization;

(2) Erosion control;

(3) Pedestrian walkways, lighting, and access easements; and

(4) Preservation of the natural setting of the creek.

h. Cross sections as shown in the original Wolf Pen Creek Master Plan shall be used in designing improvements unless otherwise approved by the Design Review Board.

i. The developer or property owner may submit any improvements to the City for dedication. Upon acceptance, the City will maintain those facilities to the same standards as other public development along the creek.

3. Fill Materials

Fill materials must be placed or stored in accordance with a site plan approved by the Development Engineer.

a. Fill must not be placed over existing utility lines without permission of the City of College Station.

b. Fill must not be stored or placed under the driplines of any tree three inches or greater in caliper.

c. Stored fill materials must be maintained in an aesthetically pleasing manner.

d. Materials may be hauled in or excavated for lake construction.

4. Lighting

Exterior lighting shall be part of the architectural concept. Fixtures, standards, and all exposed accessories shall be harmonious with building design. Light fixtures shall be compatible with fixtures used elsewhere in the district.

5. Solid Waste

a. Owners shall be encouraged in the joint use of solid waste collection agreements. Collection points may also act as vehicular access points for park maintenance vehicles.

b. Building service areas and solid waste collection points shall be screened from the creek corridor, trail system, parking and vehicular use areas, and dedicated streets and shall not be within 20 feet of the minimum reservation line. Screening shall consist of living plant materials, fences and/or walls.

6. Relationship of Buildings to Site

a. The height and scale of each building shall be compatible with its site and existing (or anticipated) adjoining buildings.

b. All developments adjacent to the creek shall orient a focal point to the floodplain of the creek and have pedestrian access to the trail system.

7. Relationship of Buildings and Site to Adjoining Area

Adjacent buildings of different architectural styles shall be made compatible by such means as screens, sight breaks, and materials.

a. Attractive landscape transition to adjoining properties shall be provided.

b. Harmony in texture, lines, and masses is required. Monotony shall be avoided.

c. Joint vehicular access agreements from dedicated streets are encouraged and may be required by the Design Review Board.

d. Park access easements for vehicular and pedestrian traffic shall be indicated on the site plan.

e. Elevation drawings showing all sides of a building shall be provided.

8. Building Design

a. Architectural style is not restricted. Evaluation of the appearance of a project shall be based on the quality of its design and relationship to surroundings.

b. Buildings shall have good scale and be in harmonious conformance with permanent neighboring development.

c. Materials shall be selected for harmony of the building with adjoining buildings.

d. Materials shall be selected for suitability to the type of buildings and the design in which they are used. Buildings shall use the same materials, or those that are architecturally harmonious, for all building walls and other exterior building components wholly or partly visible from public ways.

e. Materials shall be of durable quality.

f. In any design in which the structural frame is exposed to view, the structural materials shall be compatible within themselves and harmonious with their surroundings.

g. Building components, such as windows, doors, eaves, and parapets, shall have good proportions and relationships to one another.

h. Colors shall be harmonious and shall use only compatible accents.

i. Mechanical equipment or other utility hardware on roof, ground, or buildings shall be screened from public view with materials harmonious with the building, or they shall be so located as not to be visible from any public ways.

j. Monotony of design in single or multiple building projects shall be avoided. Variation of detail, form, and siting shall be used to provide visual interest. In multiple building projects, variable siting or individual buildings may be used to prevent a monotonous appearance.

9. Miscellaneous Structures and Street Hardware

a. Miscellaneous structures and street hardware shall be designed to be part of the architectural concept of design and landscape. Materials shall be compatible with buildings, scale shall be good, colors shall be in harmony with buildings and surroundings, and proportions shall be attractive.

b. Lighting in connection with miscellaneous structures and street hardware shall meet the criteria applicable to site, landscape, buildings, and signs.

10. Landscaping

Landscape elements included in these criteria consist of all forms of plantings and vegetation, ground forms, rock groupings, water patterns, and all visible construction except buildings and utilitarian structures. In addition to the requirements of Section 7.5, Landscaping and Tree Protection, all landscaping shall meet the following:

a. Where natural or existing topographic patterns contribute to beauty and utility of a development, they shall be preserved and developed. Modification to topography will be permitted where it contributes to good appearance.

b. Grades of walks, parking spaces, terraces, and other paved areas shall provide an inviting and stable appearance for walking, and, if seating is provided, for sitting.

c. Landscape treatment shall be provided to enhance architectural features, strengthen vistas and important axes, and provide shade.

d. Unity of design shall be achieved by repetition of certain plant varieties and other materials and by correlation with adjacent developments.

e. Plant material shall be selected for interest in its structure, texture, and color, and for its ultimate growth. Plants that are indigenous to the area and others that will be hardy, harmonious to the design, and of good appearance shall be used.

f. In locations where plants will be susceptible to injury by pedestrian or motor traffic, they shall be protected by appropriate curbs, tree guards, or other devices.

g. Parking areas and traffic ways shall be enhanced with landscaped spaces containing trees or tree groupings.

h. Where building sites limit planting, the placement of trees in parkways or paved areas is encouraged.

i. Screening of service yards and other places that tend to be unsightly shall be accomplished by use of walls, fencing, planting, or combinations of these. Screening shall be equally effective in winter and summer.

j. In areas where general planting will not prosper, other materials such as fences, walls, and pavings of wood, brick, stone, gravel, and cobbles shall be used. Carefully selected plants shall be combined with such materials where possible.

11. Signs

Commercial projects shall follow the requirements of the C-1, General Commercial District in addition to meeting the following:

a. Every sign shall be designed as an integral architectural element of the building and site to which it principally relates.

b. Every sign shall have good scale and proportion in its design and in its visual relationship to buildings and surroundings.

c. The colors, materials, and lighting of every sign shall be restrained and harmonious with the building and site to which it principally relates.

d. The number of graphic elements on a sign shall be held to the minimum needed to convey the sign's major message and shall be composed in proportion to the area of the sign face.

e. Each sign shall be compatible with signs on adjoining premises and shall not compete for attention.

f. Identification signs of a prototype design and corporation logos shall conform to the criteria for all other signs.

12. Maintenance

a. Continued good appearance depends upon the extent and quality of maintenance. The choice of materials and their use, together with the types of finishes and other protective measures, must be conducive to easy maintenance and upkeep.

b. Materials and finishes shall be selected for their durability and wear as well as for their beauty. Proper measures and devices shall be incorporated for protection against the elements, neglect, damage, and abuse.

c. Provision for washing and cleaning of buildings and structures, and control of dirt and refuse, shall be included in the design. Configurations that tend to catch and accumulate debris, leaves, trash, dirt, and rubbish shall be avoided.

d. Major maintenance activities that occur after a project is complete shall be reviewed by the Design Review Board. These activities include any replacement of light fixtures or standards, and major fence or landscape work or replacement. The intent is to insure that the development standards of this UDO are maintained throughout the life of a project.

B. Northgate Districts (NG)

The Northgate Area is one of the oldest urban areas within the City of College Station. The Northgate Redevelopment Plan, which is incorporated herein by reference, describes the Northgate area as having played an important role in serving both the City of College Station and Texas A&M University and as a unique "campus neighborhood" containing local businesses, churches, and off-campus housing in close proximity to the University. Existing development in the Northgate area has aged and deteriorated and, as a result, needs revitalization and redevelopment. Therefore, this zoning district and zoning regulations have been designed to aid in revitalization and redevelopment that is compatible with and will serve to preserve the character of the Northgate area. This zoning district and concomitant regulations are only applicable in this area.

The Northgate District consists of three Subdistricts; (1) NG-1 Core Northgate, (2) NG-2 Commercial Northgate, and (3) NG-3 Residential Northgate.

The following supplemental standards apply to the entire Northgate District.

1. Special Restrictions

Parking and traffic studies conducted for the Northgate Redevelopment Plan reveal that there is a significant deficiency in the numbers of available parking spaces and that existing parking and traffic facilities are sub-standard. Because each particular use has relatively different parking and traffic impacts, when reviewing a project the DRB may require additional parking and traffic impact studies, a review of existing occupancy, and other reasonable appropriate data to determine the impact of the project. Additional parking may be required where studies reveal that it is necessary to relieve or mitigate this impact.

2. Subdistrict Regulations

a. Subdistrict NG-1 Core Northgate

This subdistrict is intended for areas in Northgate containing historically significant structures that are included in the Northgate Historic Resources Survey, as well as structures that may be eligible for inclusion in the National Register for Historic Places. This subdistrict also applies to areas containing a diversity of pedestrian-oriented retail and entertainment businesses that are in close proximity to on-campus dormitories. This zoning district shall incorporate regulations in accordance with the Northgate Redevelopment Plan, which are designed to aid structural rehabilitation and pedestrian-oriented infill development in a manner compatible with the character of the Northgate area.

(1) Historic Structures

Structures over 50 years in age that are reflected as high or medium priority structures in the Northgate Historic Resources Survey or have been determined to be eligible for inclusion on the National Register of Historic Places shall be treated using methods and materials in accordance with the Secretary of the Interior's Standards for Rehabilitation.

(2) Dimensional Requirements

As required by Chapter 3, Building Regulations of the City of College Station Code of Ordinances. Refer to Section 5.7, Design District Dimensional Standards.

(3) Parking Requirements

Off-street parking shall be as required by the DRB in accordance to parking and traffic impact study data. The offstreet parking required by the DRB shall not exceed the minimum parking requirements set forth in the Parking Requirements contained in Section 7.2, Off-Street Parking Standards.

(4) Bicycle Parking

Projects involving site development or redevelopment require the installation of bicycle parking spaces. For commercial businesses, a minimum of two bicycle parking spaces per business plus one additional space for each 1000 square feet of floor area above 2,000 square feet shall be required. For apartments or residential condominiums, a minimum of one bicycle space per dwelling unit shall

be required. In no case shall more than 20 bicycle parking spaces per business or apartment building be required.

(5) Landscape Requirements

A landscape plan shall be required for all proposals involving site development or redevelopment, and shall be reviewed by the DRB in accordance with the following standards:

(a) Landscape/streetscape improvements shall be required along at least one-third of the length of a property's frontage onto public streets. Doorway widths and driveways shall be excluded from frontage calculations.

(b) Live plant material must be included where feasible in each proposal.

(c) Eligible landscape/streetscape improvements shall include raised planter boxes, at-grade planting beds, indoor window plantings where sidewalks are too narrow for outside plantings, seating benches, light features, trash receptacles, decorative railings, and other elements featured in the College Station Streetscape Plan.

(d) The standards set forth herein are in lieu of, and not in addition to, the landscaping requirements contained in Section 7.5, Landscaping and Tree Protection.

(6) Sign Regulations

Attached signs only. Refer to Section 7.4, Signs.

(7) Parking

A three-foot high parking screen shall be provided when parking is adjacent to public right-of-way. Screening may be accomplished using plantings, berms, or structural elements.

(8) Dumpsters

Dumpsters shall be kept in the rear of the building and shall be screened with devices made of masonry or wood with surrounding landscaping. Where feasible, consolidation of dumpsters may be required by the DRB.

b. Subdistrict NG-2 Commercial Northgate

This subdistrict is intended for areas in Northgate containing larger retail commercial uses and undeveloped land. This subdistrict also applies to areas identified in the Northgate Redevelopment Plan as suitable for mixed-use redevelopment in close proximity to Texas A&M University. This zoning district shall incorporate regulations designed to aid mixed-use development and redevelopment in a manner compatible with the general character of the Northgate area.

(1) Dimensional Requirements

As required by Chapter 3, Building Regulations, of the City of College Station Code of Ordinances. Refer to Section 5.7, Design District Dimensional Standards.

(2) Parking Requirements

Off-street parking shall be required by the DRB in accordance to parking and traffic impact study data. The offstreet parking required by the DRB shall not exceed the minimum parking requirements set forth in the parking requirements contained in Section 7.2, Off-Street Parking Standards.

(3) Bicycle Parking

Projects involving site development or redevelopment require the installation of bicycle parking spaces. For commercial businesses, a minimum of 2 bicycle parking spaces per business plus 1 additional space for each 1,000 square feet of floor area above 2,000 square feet shall be required. For apartments or residential condominiums, a minimum of 1 bicycle space per unit shall be required. In no case shall more than 20 bicycle parking spaces per business or apartment building be required.

(4) Landscape Requirements

A landscape plan shall be required for all proposals involving site development or redevelopment, and shall be reviewed by the DRB in accordance with the following standards:

(a) Landscape/streetscape improvements shall be required along at least one-third of the length of a property's frontage onto public streets. Doorway widths and driveways shall be excluded from frontage calculations.

(b) Live plant material must be included where feasible in each proposal.

(c) Eligible landscape/streetscape improvements shall include raised planter boxes, at-grade planting beds, indoor window plantings where sidewalks are too narrow for outside plantings, seating benches, light features, trash receptacles, decorative railings, and other elements featured in the College Station Streetscape Plan.

(d) The standards set forth herein are in lieu of, and not in addition to, the landscaping requirements contained in Section 7.5, Landscaping and Tree Protection.

(5) Sign Regulations

Attached signs only. Refer to Section 7.4, Signs. Provided however, if the applicable site complies with both the area requirements and landscape requirements established for subdistrict NG-2 and district C-1, the sign regulations for the NG-2 subdistrict shall be the same as those established for the C-1 district.

(6) Parking Screening

A 3-foot high parking screen shall be provided between parking and adjacent public rights-of-way. Screening may be accomplished using plantings, berms, or structural elements.

(7) Dumpsters

Dumpsters shall be kept in the rear of the building and shall be screened with devices made of masonry or wood with surrounding landscaping. Consolidation of dumpsters shall be encouraged by the DRB.

c. Subdistrict NG-3 Residential Northgate

This subdistrict is intended for areas in Northgate containing a variety of residential uses and structures, some of which may be historically significant and included in the Northgate Historic Resources Survey. This sub-district also applies to areas determined to be suitable for higher density residential developments due to its close proximity to Texas A&M University. This zoning district incorporates regulations in accordance with the Northgate Redevelopment Plan, which are designed to aid pedestrian-oriented redevelopment in a manner compatible with the residential character of the Northgate area.

(1) Area Requirements

As required by Chapter 3, Building Regulations of the City of College Station Code of Ordinances. Refer to Section 5.7, Design District Dimensional Standards

(2) Parking Requirements

Off-street parking shall be required by the DRB in accordance to parking and traffic impact study data. The offstreet parking required by the DRB shall not exceed the minimum parking requirements set forth in the Parking Requirements contained in Section 7.2, Off-Street Parking Standards.

(3) Bicycle Parking

Projects involving site development or redevelopment require the installation of a minimum of one bicycle space per dwelling unit. In no case shall more than 20 bicycle parking spaces per apartment project be required.

(4) Landscape Requirements

A landscape plan shall be required for all proposals involving site development or redevelopment, and shall be reviewed by the DRB in accordance with the following standards:

(a) Landscape/streetscape improvements shall be required along at least one-third of the length of a property's frontage onto public streets. Doorway widths and driveways shall be excluded from frontage calculations.

(b) Live plant material must be included where feasible in each proposal.

(c) Eligible landscape/streetscape improvements shall include raised planter boxes, at-grade planting beds, indoor window plantings where sidewalks are too narrow for outside plantings, seating benches, light features, trash receptacles, decorative railings, and other elements featured in the College Station Streetscape Plan.

(d) The standards set forth herein are in lieu of, and not in addition to, the Landscaping Requirements contained in Section 7.5, Landscaping and Tree Protection.

(5) Sign Regulations

Attached signs only. Refer to Section 7.4, Signs.

(6) Parking Screening

A 3-foot high parking screen shall be provided when parking is adjacent to public rights-of-way. Screening may be accomplished using plantings, berms, or structural elements.

(7) Dumpsters

Dumpsters shall be kept in the rear of the building and shall be screened with devices made of masonry or wood with surrounding landscaping. Where feasible, consolidation of dumpsters may be required by the DRB.

5.7 Design District Dimensional Standards

The following table establishes dimensional standards that shall be applied within the Design Districts, unless otherwise identified in this UDO:

	Design Districts			
	NG-1	NG-2	NG-3	WPC
Minimum Lot Area	None	None	None	2,400 SF
Minimum Lot Width	None	None	None	24'
Minimum Lot Depth	None	None	None	100'
Minimum Front Setback	None	None	None	25'
Minimum Side Setback	None	None	None	None (A)
Minimum Side Street Setback	None	None	None	15'
Minimum Rear Setback	None	None	None	15'
Maximum Setback from a Right-of-Way (B)	10' (C)	None	10' (C)	None
Maximum Height	None	None	None	None
Minimum Height	2 Stories (D)	None	2 Stories (D)	None
Minimum Floor to Area Ratio (FAR)	1 (E)	None	1 (E)	None

Notes:

(A) Lot line construction on interior lots is allowed where access to the rear of the building is provided on the site or by dedicated right-of-way or easement.

(B) Maximum setback from any property line adjacent to ROW, including lots with single frontage, lots with double frontage, and corner lots with multiple frontages.

(C) Ten feet or the width of any public easement in excess of ten feet.

(D) A one-story structure may be erected if all facades are a minimum of 20 feet in height.

(E) This area calculation shall not include any lot area encumbered by required easements, setbacks, sidewalks, or detention.

5.8 Overlay Districts

In the event that an area is rezoned to apply overlay district provisions, this district shall apply to all multi-family, commercial and industrial property, and where applicable, to single-family, duplex or townhouse development. The underlying district establishes the permitted uses and shall remain in full force, and the requirements of the overlay district are to be applied in addition to the underlying use and site restrictions.

A. Corridor Overlay (OV) District

This district is established to enhance the image of gateways and key entry points, major corridors, and other areas of concern, as determined by the City Council, by maintaining a sense of openness and continuity.

The following supplemental standards shall apply to this district:

1. Setbacks

All buildings will be set back 40 feet from the right-of-way. Where parking is located in the front of the building, there shall be a front setback of 20 feet from the right-of-way to the parking area and all drive aisles.

2. Signs

a. Signs shall include no more than three colors and two lettering (font) styles. At least one of the colors must match the predominant colors of the building. For the purposes of this section, black or white shall not be considered as colors unless requested to be so by the applicant.

b. Freestanding signs shall be limited to the restrictions of Section 7.4, Signs, but shall not exceed the height of the building.

3. Building Colors

Building colors shall be neutral and harmonious with the existing man-made or natural environment, and only compatible accent colors shall be used. All colors shall be approved by the Administrator. The applicant must provide elevation drawings and color samples.

4. Special Restrictions for Retail Fuel Sales

In cases where the underlying zoning district permits gasoline service stations and a station is proposed, the following restrictions shall apply:

a. Activities Restricted

(1) No major emergency auto repair; and

(2) No body, fender, or paint work.

b. Signs

(1) Sign height shall be restricted by the provisions of Section 7.4_Signs, but shall not exceed the height of the building.

(2) No freestanding fuel price signage shall be permitted.

(3) Signs for air, water, and other similar services or products must meet the criteria for exempt signs as provided in Section 7.4 Signs.

B. Redevelopment District (RDD)

The purpose of this district is to facilitate the redevelopment of existing nonconforming commercial centers through flexible or relaxed standards, which can accommodate existing physical limitations and take extraordinary circumstances into account. The Redevelopment District (RDD) is an overlay district. The permissible uses on any site shall be governed by the underlying zoning.

The following supplemental standards shall apply to this district:

1. Location

A Redevelopment District (RDD) may be established upon any commercially-zoned property where the initial development was established a minimum of 20 years prior to the rezoning request and the proposed redevelopment meets the intent of this section. Special consideration should be given to those areas considered "gateways" and/or historic, and those with close proximity to Texas A&M University.

2. **Standards**

Although every effort should be made to meet all requirements of this UDO, designated Redevelopment Districts may be allowed to waive up to 50 percent of required parking standards and landscaping where physical limitations and the site's location and relationship to the goals of the Comprehensive Plan warrant consideration. A lesser percentage may be established as part of the approval process.

3. **Criteria for Evaluation**

Evaluation of all sites and site plans for rezoning to RDD shall consider the following:

a. **Conformance with the Comprehensive Plan;**
b. **Aesthetic contribution of the proposed redevelopment;**
c. **Economic viability of the existing site;**
d. **Physical limitations and the demonstrated inability to meet current requirements;**
e. **Public health and safety standards; and**
f. **Effort made to meet all standards of this UDO.**

Full engineering of sites may not be required for the establishment of a Redevelopment District; however, a preliminary engineering study will be required which assesses parking, vehicular access and circulation, drainage and utility requirements.

4. **Procedure for Establishment**

The procedure for rezoning to RDD shall be the same as any other rezoning application except that a site plan of the proposed redevelopment of the site shall be carefully evaluated to ascertain the site plan's benefit to achieving the goals of the Comprehensive Plan. Elevations of proposed structures may be required as part of the review process, or to determine eligibility for rezoning.

Full engineering may not be required for evaluating a property for rezoning. Varying levels of information may be required by the Administrator depending upon the peculiarities of any given site.

The site plan components shall govern the redevelopment of the site following the approval of an RDD.

C. **Krenek Tap Corridor Overlay District (KO)**

The purpose of this overlay is to provide for consistent development of office, retail, and residential uses in the area of the new City Centre Complex. The City Centre Complex is located on the south side of Krenek Tap Road, and will contain several municipal and public facilities having high quality urban design characteristics. This overlay, along with all other applicable requirements of the Unified Development Ordinance (UDO), shall apply to all properties on the north and south sides of Krenek Tap Road.

Uses

Permitted uses shall be those as established in the underlying zoning districts with the exception that duplex dwelling units are not allowed anywhere in the overlay district.

Design Standards

The following standards apply to all development, except single family residential development, along the Krenek Tap Corridor in addition to other design standards contained within the UDO.

1. **Parking**

No parking or circulation aisle shall be located between a building and the adjoining right-of-way of Krenek Tap Road. Where no building exists and parking is to be installed adjacent to a right-of-way, there shall be a thirty foot (30') setback from the right-of-way line to the parking pavement, within which a three foot (3') high screen of shrubs, fencing wall, or earthen berm shall be installed.

2. **Architectural Design**

All building facades facing Krenek Tap Road shall have architectural treatments similar and complimentary to the front façade of the building. All exterior walls visible from the public right-of-way shall be finished with one or more of the following materials: brick, native

stone, cast stone, textured concrete masonry units, fiber/cement board, solid wood planking, stucco, or synthetic stucco. Metal siding is prohibited on all exterior walls. There shall be no flat roofs.

Use of alternative materials may be approved by the Design Review Board, if such materials meet or exceed the standards herein.

When an existing structure is enlarged or modified, the DRB may approve materials other than the standard materials above, if this allows the new construction to be more compatible with existing materials, with the exception that metal siding is not allowed.

3. Reflective Glass

For non-residential buildings, no more than fifty percent (50%) of any façade facing Krenek Tap Roadway may include reflective glass. For the purposes of this ordinance, reflective glass shall be defined as glass having a reflectance of greater than ten percent (10%).

4. Fencing

Any fencing visible from the public designated roadway or public area shall be decorative wrought iron or tubular steel, a picket fence or alternative similar products approved by the Design Review Board. Fences along the right-of-way shall not be solid and shall allow visual access to the development. The materials and height limitation referenced above do not apply to fences required for screening as specified in this UDO.

5. Sign Regulations

Only attached building signs and low proflie signs meeting the requirements of the UDO shall be permitted. Building signs shall not obscure other building elements such as windows, cornices, decorative details, etc.

Design Standards

The following standards apply specifically to single family and townhome residential development along the Krenek Tap Corridor in addition to other design standards contained within the UDO applicable to single family development.

1. Front Setback

Residential lots adjacent to Krenek Tap right-of-way shall be oriented so that the front facades of individual units or dwellings face Krenek Tap Road, if there is sufficient property frontage to do so. The front setback of these units shall not exceed fifteen feet (15'). This does not preclude residential street access to Krenek or pedestrian access.

2. Front Porches

Every front façade visible from Krenek Tap Road shall contain a front porch extending along at least one half of the front façade. These porches shall be large enough and useable for outdoor seating and not solely decorative.

3. Parking

No driveways or locations for parking shall be allowed in the yard areas facing Krenek Tap Road or along Krenek Tap Road itself. Rear parking and access shall be required.

4. Architectural Design

All exterior walls visible from the public right-of-way shall be finished in the following materials: brick, native stone, cast stone, textured concrete masonry units, fiber/cement board, solid wood planking, stucco, or synthetic stucco. Metal siding is prohibited on all exterior walls. Alternative materials may be approved by the Design Review Board, if the alternative materials meet or exceed the standards of the materials listed above. The primary material shall not exceed seventy-five percent (75%) of the façade. The façade calculation excludes windows and doors. There shall be no flat roofs.

APPENDIX V

Article 6. Use Regulations

6.1 Purpose

The intent of this Article is to provide for patterns of land use consistent with the Comprehensive Plan, and to encourage the arrangement of land uses so as to minimize conflicts among various types of land use activities while recognizing the City's need for such activities.

6.2 Types of Use

A. Uses of land or structures which are not expressly listed in the Use Table as permitted uses (P), permitted uses subject to specific use standards (P*), or conditional uses (C) in a zoning district or planned development are prohibited uses and shall not be established in that district or planned development.

B. The Administrator shall determine whether or not an unlisted use, that is otherwise prohibited, as stated above should be processed. In doing so, the Administrator shall utilize purpose statements adopted herein in conjunction with the applicable zoning district, and consideration of the following criteria:

1. **The actual or anticipated characteristics of the activity in relationship to known characteristics of similar projects in standard planning practice;**
2. **The relative amount of site area, floor space, and equipment;**
3. **Relative volumes of sales from each activity;**
4. **The customer type for each activity;**
5. **The relative number of employees in each activity;**
6. **Hours of operation;**
7. **Building and site arrangement;**
8. **Vehicles used with the activity and the relative number of vehicle trips generated by the use; and**
9. **How the use advertises itself.**

C. Use Table

Except as otherwise specifically provided herein, regulations governing the use of land and structures with the various zoning districts and classifications of planned developments are hereby established as shown in the following Use Table.

1. **Permitted Uses**

   A "P" indicates that a use is allowed by right in the respective district. Such uses are subject to all other applicable regulations of this UDO.

2. **Permitted Uses Subject to Specific Standards**

   A "P*" indicates a use that will be permitted, provided that the use meets the provisions in Section 6.3, Specific Use Standards. Such uses are also subject to all other applicable regulations of this UDO.

3. Conditional Uses

A "C" indicates a use that is allowed only where a conditional use permit is approved by the City Council. The Council may require that the use meet the additional standards enumerated in Section 6.2, Specific Use Standards. Conditional uses are subject to all other applicable regulations of this UDO.

USE TABLE	Residential Districts										Non-Residential Districts											
Specific Uses	A-O	A-OR	R-1	R-1B	R-2**	R-3**	R-4**	R-6**	R-7**	P-MUD**	A-P	C-1	C-2	C-3**	R&D**	M-1	M-2	C-U	WPC**	NG-1**	NG-2**	NG-3**
KEY: P = Permitted by Right ; P* = Permitted Subject to Specific Use Standards; C = Conditional Use																						
RESIDENTIAL																						
Boarding & Rooming House							P	P		P												P
Extended Care Facility / Convalescent/Nursing Home							P	P		P		P	P						P			
Dormitory							P	P		P										P	P	P
Duplex					P		P	P		P												
Fraternity/Sorority							P	P												P	P	P
Manufactured Home	P*	P*							P*													
Multi-Family							P	P		P									C[1]	P	P	P
Multi-Family built prior to January 2002							P	P											P	P	P	P
Single-Family Detached	P	P	P	P	P	P				P												
Townhouse						P	P	P		P												P
PUBLIC, CIVIC AND INSTITUTIONAL																						
Educational Facility, College & University																		P				
Educational Facility, Indoor Instruction										P	P	P	P	P					P	P	P	P
Educational Facility, Outdoor Instruction	P	C								P		P	P									
Educational Facility, Primary & Secondary			P	P	P	P	P	P		P	P	P	P	P								
Educational Facility, Tutoring										P	P	P	P						P	P	P	P
Educational Facility, Vocational/Trade										P	P	P	P			P	P					
Governmental Facilities	P*	P*	P*	P*	P*	P*	P*	P*	P*	P	P	P	P	P	P	P	P	P	P	P	P	P*
Health Care, Hospitals												P	P									
Health Care, Medical Clinics											P	P	P	P						P	P	
Parks	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P		P	P	P	P
Places of Worship	P*	P*	P*	P*	P*	P*	P*	P*	P*	P	P	P	P	P	P	P	P	P	P	P	P	P
COMMERCIAL, OFFICE AND RETAIL																						
Agricultural Use, Barn or Stable for Private Stock	P	P																				
Agricultural Use, Farm or Pasturage	P	P																				
Agricultural Use, Farm Product Processing	P																					

[1] Multi-family residential uses located in stories or floors above retail commercial uses are permitted by right.

** District with Supplemental Standards (Refer to Article 5).

USE TABLE	Residential Districts										Non-Residential Districts											
Specific Uses	A-O	A-OR	R-1	R-1B	R-2**	R-3**	R-4**	R-6**	R-7**	P-MUD**	A-P	C-1	C-2	C-3**	R&D**	M-1	M-2	C-U	WPC**	NG-1**	NG-2**	NG-3**
KEY: P = Permitted by Right ; P* = Permitted Subject to Specific Use Standards; C = Conditional Use																						
COMMERCIAL, OFFICE AND RETAIL (continued)																						
Animal Care Facility, Indoor										P	P	P	P	P					P	P	P	
Animal Care Facility, Outdoor	P*												P									
Art Studio/Gallery										P	P	P		P					P	P	P	P
Car Wash												P*										
Commercial Garden/Greenhouse/Landscape Maintenance	P*											P*	P*				P*					
Commercial Amusements										P		P*	P*						P	P	P	
Conference/Convention Center										P		P	P						P	P	P	
Country Club	P	P	P	P						P		P	P									
Day Care, Commercial							C	C	C	P	P	P		P						P	P	P
Drive-in/thru window												P							C		P	
Dry Cleaners & Laundry										P*	P*	P	P	P*					P*	P*	P*	P*
Fraternal Lodge										P		P	P							P	P	P
Fuel Sales										P*		P*		P*			P				P*	
Funeral Homes												P	P				P					
Golf Course or Driving Range	P*									P*		P*	P*									
Health Club/Sports Facility, Indoor										P		P		P					P	P	P	P
Health Club/Sports Facility, Outdoor										P		P							P		P	
Hotels										P		P							P	P	P	
Night Club, Bar or Tavern										C		C							P	P	P	
Offices										P	P	P	P	P	P	P	P		P	P	P	P
Parking as a Primary Use										P	C	P	P						P		C	
Personal Service Shop										P	P	P		P					P	P	P	P
Printing/Copy Shop										P	P	P	P	P					P	P	P	
Radio / TV station/studios										P	P	P	P	P		P	P				P	
Restaurants										P		P		P*					P	P	P	P*

[1] Multi-family residential uses located in stories or floors above retail commercial uses are permitted by right.

**District with Supplemental Standards (Refer to Article 5).

USE TABLE	Residential Districts										Non-Residential Districts											
Specific Uses	A-O	A-OR	R-1	R-1B	R-2**	R-3**	R-4**	R-6**	R-7**	P-MUD**	A-P	C-1	C-2	C-3**	R&D**	M-1	M-2	C-U	WPC**	NG-1**	NG-2**	NG-3**
KEY: P = Permitted by Right ; P* = Permitted Subject to Specific Use Standards; C = Conditional Use																						
COMMERCIAL, OFFICE AND RETAIL (continued)																						
Retail Sales - Single Tenant over 50,000 SF												P									P	
Retail Sales and Service										P		P*	P*	P					P	P	P	P
Sexually Oriented Business (SOB)	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*
Shooting Range, Indoor										P		P	P						P			
Theater										P		P							P	P	P	C
Retail Sales, Manufactured Homes																	P*					
Storage, Self Service												P	P	P*			P					
Vehicular Sales, Rental, Repair and Service												P*	P*				P*					
Wholesales/Services												P*	P*			P	P					
INDUSTRIAL AND MANUFACTURING																						
Bulk Storage Tanks / Cold Storage Plant													P				P					
Industrial, Light													P		P	P	P					
Industrial, Heavy																	P					
Recycling Facility – Large													P*				P					
Salvage Yard																	P*					
Scientific Testing/Research Laboratory													P		P	P						
Storage, Outdoor - Equipment or Materials													P			P	P					
Truck Stop/Freight or Trucking Terminal																	P					
Utility	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*
Warehousing/Distribution													P			P	P					
Waste Services																	P					
Wireless Telecommunication Facilities – Intermediate	P*									P*	P*	P*	P*	P*	P*	P*	P*		P*	P*	P*	P*
Wireless Telecommunication Facilities – Major	C										C	C	C	C	C	C	P*					
Wireless Telecommunication Facilities – Unregulated	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P			P	P	P

[1] Multi-family residential uses located in stories or floors above retail commercial uses are permitted by right.

**District with Supplemental Standards (Refer to Article 5).

6.3 Specific Use Standards

The following specific use standards shall apply to those uses listed below and identified in the Use Table in Section 6.2, Types of Use, with a "P*." A site plan review, as required by Section 3.5, Site Plan Review, is required for all specific uses identified herein. For the purposes of this section, buffers shall comply with Section 7.6, Buffer Requirements unless specified herein. For the purposes of this section, residential areas or uses shall mean existing developed or developing (platted) residential uses including single-family and multi-family housing, townhomes, and duplexes.

A. Animal Care Facilities

Any animal care facilities with defined outdoor uses and/or facilities shall be located a minimum of 500 feet from existing or developing residential areas; and facilities with outdoor facilities for large animals shall be permitted in A-O, Agricultural Open, only.

B. Car Wash

Vacuums shall be located a minimum of 100 feet from any adjacent residential use.

C. Commercial Amusements

All outdoor activity must be located a minimum of 300 feet from an existing residential use.

D. Commercial Garden/Greenhouse/Landscape Maintenance

Outdoor storage and display of unpackaged or bulk materials, including but not limited to topsoil, manure, and aggregate materials, shall be screened and located at least 50 feet from all property lines and not closer than 150 feet from an existing residential use.

E. Dry Cleaners/Laundry

All activity must be wholly contained within a building not to exceed 3,000 square feet in size.

F. Fuel Sales

1. **Any vehicle repair uses must comply with Section 6.3.P, Vehicular Sales, Rental, Repair and Service.**

2. **All activities except those associated with fuel pumping must be conducted within an enclosed building.**

3. **Ice and vending machines must be enclosed in a building.**

4. **No signage, in addition to the signage allowed in Section 7.4, Signs, may be allowed within view of the right-of-way.**

5. **No outside storage or display of vehicles for any purpose.**

6. **A drive-thru car wash designed to accommodate one vehicle shall be permitted as an accessory use.**

7. **In C-3, Light Commercial fuels sales shall be limited to facilities designed to accommodate a maximum of four vehicles obtaining fuel simultaneously.**

8. **Minimum setback requirements shall be as follows:**

	Front	Side	Rear	Side Street
Fuel pumps	50 feet	25 feet	25 feet	25 feet
Canopies	40 feet	15 feet	15 feet	15 feet

9. **Storage tanks must be located below grade.**

G. Golf Course or Driving Range

1. All driving ranges shall be a minimum of 10 acres and have a minimum field size of 275 yards.

2. Driving ranges are classified as commercial enterprises and must comply with Section 7.6, Buffer Requirements.

3. For driving ranges, all balls must remain on the property through proper orientation of the tee boxes, adequate buffering or screening, and barrier nets.

4. No building, structure, or outdoor activity of a driving range shall be located within 100 feet of residentially-zoned property.

5. All ground-level lighting of a driving range's landing area shall be directed away from adjacent properties and screening shall be provided with plantings, berms, or other means to limit nuisances associated with lighting and resulting glare.

H. Government Facilities and Utilities

Activities not wholly contained within a building shall not be located within 100 feet of a single-family residential use unless buffered by a 25 foot buffer yard and a six-foot privacy fence, in accordance with Section 7.6, Buffer Requirements.

I. Manufactured Homes

1. The placement of an individual manufactured home where permitted or the replacement of an existing manufactured home shall be subject to obtaining a Location Permit issued by the Building Official and Administrator. The application for such a permit shall be accompanied by a location plan including the following information:

   a. Location plan showing the dimension of the site, required setback lines, the placement of the manufactured home, the designated parking, and any existing structures on the same or adjoining lots;

   b. A signed and dated application, requesting permission to locate the structure on the lot; and

   c. A legal description of the location of the property within the City.

2. All manufactured homes shall be skirted with brick, vinyl, or other solid skirting materials within four months of occupancy of the lot.

3. All trailer hitches and other devices designed to aid in the transport of the manufactured homes must be removed within four months of occupancy of the lot.

J. Mobile Home

A mobile home, after the effective date of this UDO, may not be located within the corporate limits of College Station for residential dwelling. A mobile home legally located within the corporate limits of College Station may continue to be used as a residential dwelling, but shall not be relocated or enlarged. A mobile home may be replaced by a manufactured home.

K. Retail Sales / Manufactured Homes

Manufactured homes undergoing repair and remaining on site in excess of 48 hours shall be screened from public view in an enclosed area.

L. Recycling Facilities

1. Any facility located within 500 feet of property zoned or developed for residential use shall not be in operation between 7:00 p.m. and 7:00 a.m.

2. **Light processing, including compacting, baling, and shredding, must be directly related to efficient temporary storage and shipment of materials. No facility as described in this subsection shall abut property zoned or developed for single-family residential use.**

3. **A minimum of six parking spaces shall be provided, plus one space per employee and for each vehicle of the facility.**

4. **Each container shall be clearly marked to specify materials that are accepted. The name and telephone number of the operator and the hours of operations shall be conspicuously displayed. All sign regulations of the district in which the facility is located shall apply.**

5. **Each facility shall be screened from the public right-of-way by operating in an enclosed building with no outside storage or by operating within an area enclosed by an opaque fence at least eight feet in height.**

M. Restaurant

1. **The maximum size shall be 2,500 square feet.**

2. **Drive-ins and drive-thrus are prohibited.**

N. Sales and Service (Retail and Wholesale)

Sales Matrix

Retail……SALES…Wholesale

C-1 General Commercial	**C-2 Commercial/Industrial**
C-1 General Commercial	**C-2 Commercial/Industrial**

Minor…….……STORAGE……Major

1. **Storage is allowed in C-1 if the square feet of storage is less than 50% of the total physical space, exclusive of office areas.**

2. **Sales are allowed in C-2 if the square feet of sales is less than 50% of the total physical space, exclusive of office area.**

3. **Each sales use in a shopping center must meet the storage square-foot criteria above to be permitted in that zoning district.**

O. Salvage Yard

1. **Salvage or junkyards shall be visually screened on front, rear, and all sides by means of a solid eight-foot high wooden privacy fence.**

2. **Material that is not salvageable shall not be permitted to accumulate. In no case shall material that is not salvageable be buried or used as fill.**

3. **In any open storage area, it shall be prohibited to keep any ice box, refrigerator, deep-freeze locker, clothes washer, clothes dryer, or similar air-tight unit having an interior storage capacity of one and one-half cubic feet or more, from which the door has not been removed.**

P. Sexually-Oriented Business

1. **General**

These requirements apply to all sexually-oriented businesses as defined in this UDO.

A business is not exempt from regulation under this UDO because it holds a license or permit under the Alcoholic Beverage Code authorizing the sale or service of alcoholic beverages or because it contains one or more coin-operated machines that are subject to regulation or taxation, or both under State law.

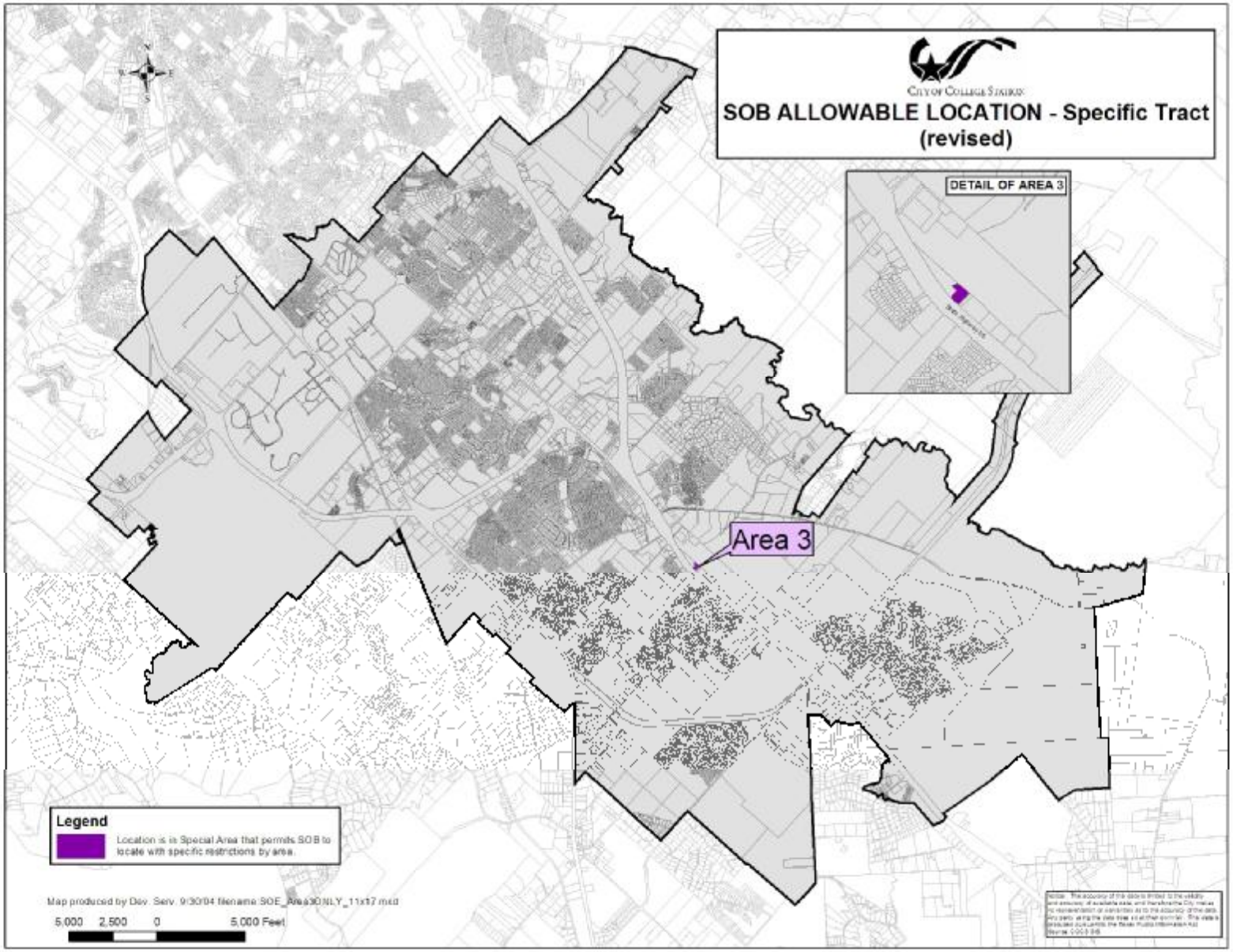
Regulations contained within this UDO pertaining to sexually-oriented businesses are based on evidence concerning the adverse secondary effects of adult uses on the communities presented in findings incorporated in *City of Renton v. Playtime Theaters, Inc.*, 475 U.S. 41 (1986) and in studies set out below:

Detroit, Michigan
Amarillo, Texas
Los Angeles, California
Indianapolis, Indiana
Phoenix, Arizona
St. Paul, Minnesota
Beaumont, Texas
Seattle, Washington
Austin, Texas

2. **Permitted Locations**

A sexually-oriented business is a permitted use at the following location only and is subject to the specific standards located in this Section and is subject to other applicable regulations of this UDO.

Map of the Potential Location:


City of College Station
SOB ALLOWABLE LOCATION - Specific Tract
(revised)
DETAIL OF AREA 3
Area 3
Legend
Location is in Special Area that permits SOB to locate with specific restrictions by area.
Map produced by Dev. Serv. 9/30/04 filename SOE_Area3ONLY_11x17.mxd
5,000 2,500 0 5,000 Feet

Area 3: State Highway 6 Commercial Tract

All that certain tract or parcel of land lying and being situated in the R. Stevenson Survey, Abstract No. 54, Tract 61, being all of that 2.116 acre tract conveyed to the Blue Dolphin Club, Inc. by deed recorded in volume 2079, page 133 in the Official Records of Brazos County, Texas.

3. Single Adult Use Per Location

There shall only be one sexually-oriented business permitted per area.

4. Measurement

a. Stock in Trade

Stock in trade shall be the number of items in stock in the sales and display area at the time of a site inspection. The number of sexually-oriented items shall be calculated as a percentage of total items.

b. Sales and Display Area

1) The sales and display area shall be the entire interior floor space of a business establishment devoted to sales and display, including aisles, measured in square feet at the time of a site inspection. The floor space devoted to sales and display of sexually-oriented materials shall be calculated as a percentage of total sales and display area.

2) Where sexually-oriented materials are physically separated from other materials by an eight-foot wall, the separate sales and display area (including any aisles) shall be compared to the total sales and display floor area.

3) Where floor area includes a mixture of sexually-oriented material with any other material, it shall be counted as sexually oriented. Any such area shall include one-half of the area of any aisles adjacent to the display or sales of sexually-oriented materials.

5. Specific Standards

c. Adult Cabaret or Adult Retail Store

Any performance area shall be elevated at least 24 inches above the level of the patron seating areas and shall be separated by a distance of at least six feet from all areas of the premises to which patrons have access. A continuous railing at least three feet in height, securely attached to the floor, and located at least six feet from all points of the live performance area shall separate performance areas and patron areas.

d. Adult Arcade, Adult Movie Theater

1) All aisles shall have theater runway and aisle lighting which illuminates the entire floor surface of the aisle at a level of not less than 0.2 foot-candles.

2) All theater viewing areas, projection rooms, and viewing booths or rooms shall be equipped with overhead lighting fixtures of sufficient intensity to illuminate every place to which patrons are permitted access at an illumination so that any patron may be observed from a manager's or employee's station.

3) The interior of an adult arcade, and/or adult viewing booth or room, shall be configured in such a way that there is an unobstructed view from a manager's or employee's station of every interior area of the adult arcade and/or viewing booth or room.

4) All ventilation devices in or between adult viewing booths, viewing stations and rooms must be covered by a permanently affixed ventilation cover or grill. Ventilation holes, portals or airways may only be located one foot from the top of the station, room or booth walls or one foot from the bottom of the station, room or booth walls. There may not be any other holes or openings in the station, room or booth walls or between stations, rooms or booths.

e. Limited Adult Retail Store

The store shall separate all sexually-oriented material from other sales and display areas using an opaque wall at least eight feet in height. Such an area shall incorporate a management-controlled system of access to ensure that only persons over the age of 18 years are allowed to enter.

6. Lighting

Any sexually-oriented business shall be equipped with overhead lighting fixtures of sufficient intensity to illuminate every place to which patrons are permitted access so that any patron may be observed from a manager's or employee's station.

7. Amortization

A sexually-oriented business in operation prior to the effective date of this UDO which does not conform to the regulations listed above shall be considered to be nonconforming. The nonconforming sexually-oriented business shall be permitted to continue for one year after the effective date of this ordinance unless voluntarily discontinued for a period of 30 days or more. One year after the effective date of this UDO the nonconforming sexually-oriented business shall be illegal and shall terminate, except as provided herein.

a. Additional Time for Amortization

In the event an owner of a nonconforming sexually-oriented business is unable to recoup his investment in his sexually-oriented business by the date for the termination of such uses, the owner may request additional time by making application with the Administrator no later than the date for termination of the use.

b. Application for Additional Time

The owner shall file, with his request for additional time, all data he wishes considered in support of the request. The owner shall also supply all materials requested by the Administrator, City Attorney, or City Council to determine if the investment has been recouped.

c. Determination by the City Council

Upon application by the owner, the City Council may, at its discretion, allow additional time to amortize the investment in a sexually-oriented business if it makes the following findings:

1) The owner has made every effort to recoup his investment in the sexually-oriented business;

2) The owner will be unable to recoup his investment in a sexually-oriented business by the end of the amortization period; and

3) That all applicable provisions of this UDO will be observed.

If the City Council grants additional time, the grant shall be for a period not to exceed one year.

d. Exemption from Amortization Requirements

Any owner of a sexually-oriented business wishing to claim an exemption from the amortization requirements of this UDO may apply for an exemption. The City must receive such application no less than sixty days prior to the expiration of the amortization period.

The City Council may grant an exemption if it makes the following findings:

1) That the location of the sexually-oriented business will not have a detrimental effect on nearby properties or be contrary to the public health, safety or welfare;

2) That the granting of the exemption will not violate the spirit and intent of this UDO;

3) That the location of the sexually-oriented business will not downgrade the property values or quality of life in the adjacent areas or encourage the development of urban blight;

4) That the location of the sexually-oriented business will not be contrary to any program of neighborhood conservation nor will it interfere with any efforts of urban renewal or restoration; and

5) That all other applicable provisions of this UDO will be observed.

If an exemption is granted, such exemption shall be valid for a period of one year from the date of the City Council action. Upon expiration of an exemption, a sexually-oriented business shall be in violation of this UDO, shall be illegal, and shall terminate, unless the owner receives another exemption. Additional applications for exemptions shall be submitted at least sixty days prior to the expiration of the exemption period.

The granting of an exemption does not alleviate the owner of a sexually-oriented business from adhering to all other applicable provisions of this UDO.

Q. Storage, Self-Service

Accessory uses are prohibited.

R. Utilities

Activities not wholly contained within a building that abuts single-family residential uses shall construct a 20-foot buffer yard with a 6-foot privacy fence, in accordance with Section 7.6, Buffer Requirements.

S. Vehicular Sales, Rental, Repair and Service

1. Vehicles undergoing repair, painting, or body work which will remain on site in excess of 48 hours shall be screened from public view or stored indoors.

2. Inoperable vehicles shall not be allowed to remain on site for more than 30 days.

3. All parts, including automobile body parts, shall be stored within an area which is completely screened from public view.

T. Wireless Telecommunication Facility (WTF)

1. Purpose

The purpose of this section is to establish regulations pertaining to wireless telecommunications facilities that are consistent with federal and state law. The City Council of the City of College Station finds that:

a. It is in the public interest to promote competition in high quality telecommunications services and the availability of broadband transmission services to all residences and business;

b. It is in the public interest for the City to protect the public safety and welfare, safeguard community land values, promote orderly planning and development and preserve historic sites, structures and areas. Wireless telecommunications facilities should not be allowed to detract aesthetically from the visual quality of surrounding properties or the City; and

c. The proliferation of wireless telecommunications facilities negatively impacts the appearance, character, and property values of the community. Therefore the City should endeavor to minimize the size, number and obtrusiveness of antennas and towers. Collocation and stealth technologies are strongly encouraged to mitigate negative visual impacts and reduce the total number of towers within the City.

2. WTF Categories

In order to expedite the siting and review process, WTFs have been divided into use categories. The review process is more thorough as the intensity of the use increases.

a. Unregulated Facilities

The WTFs listed below are not regulated by this ordinance and do not require review or approval. This does not exempt these facilities from other applicable city codes, ordinances, and permits.

1) Over the air reception devices exempted from local ordinances by the Federal Communications Commission (FCC).

2) Parabolic antenna less than 2 meters in diameter.

3) Omni-directional antenna (whip antenna) 6 inches or less in diameter and not extending more than 12 feet above support structure.

4) Directional antenna 1 meter or less measured across the longest dimension and not extending over 12 feet above support structure.

5) Public safety tower or antenna.

b. Intermediate Facilities

1) New transmission tower less than 35 feet (10.5 meters) in height.

2) New transmission tower that does not extend more than 35 feet (10.5 meters) in height above a support structure and that meets the definition of a stealth facility.

3) Parabolic antenna over 2 meters in diameter.

4) Omni-directional antenna (whip antenna greater than 6 inches in diameter and/or extending 12 feet above the support structure.

5) Directional antenna more than 1 meter measured across the longest dimension and extending over 12 feet above support structure.

6) Attached WTFs.

c. Major Facilities

New transmission tower greater than 35 feet (10.5 meters) in height.

3. Permitted Locations

a. All Intermediate WTFs are permitted by right in the following zoning districts:

A-O	M-1	C-1	M-2
A-P	R&D	C-2	PDD (except PDD-H)
WPC	NG	C-3	City-owned premises

b. Major WTFs are allowed in the following zoning districts with a Conditional Use Permit

M-2	M-1	C-1	C-3
A-P	R&D	C-2	City-owned premises

c. WTFs may locate on city-owned premises without a conditional use permit with approval of the City Council and subject to the requirements of this ordinance.

4. Requirements for New Transmission Towers

a. Setbacks

The standard setbacks for each zoning district will apply to WTFs with additional setbacks or separation being required in the sections below. To protect citizens in their homes, transmission towers shall be placed a distance equal to the height of the tower away from any residential structure. And, non-stealth towers shall be set back a distance equal to the height of the tower away from any R-1, R-1B, or R-2 zone boundary.

b. Proximity To Major Thoroughfares

To preserve and protect the appearance of the City's major thoroughfares and entrances to the City, additional setbacks are placed on WTFs proposed to be placed near these areas. The setback for these areas is determined by measuring from the centerline of the right-of-way of the thoroughfare. Applicable thoroughfares include freeways and expressways, major arterials and minor arterials, as shown on the Thoroughfare Plan.

1) Intermediate WTFs must be 150 feet from applicable thoroughfares.

2) Major WTFs must setback from applicable thoroughfares by the height of the tower x 3.

c. **Separation Between Towers**

In order to prevent tower proliferation and protect the City's natural beauty and skyline, the number of transmission towers per square mile has been limited. New transmission towers must be placed a minimum distance from existing towers as described here:

1) **New transmission towers 35 feet or less in height shall be separated from existing towers by a minimum distance of 1500 feet.**
2) **New transmission towers more than 35 feet and less than 75 feet in height shall be separated from existing towers by a minimum distance of 2500 feet.**
3) **New transmission towers 75 feet or more in height shall be separated from existing towers by a minimum distance of 3500 feet.**

d. **Height Limitations**

1) **Intermediate WTFs are subject to the normal height restrictions for each zoning district where permitted by right. In any zoning district where a tower is a conditional use, the requested height may be reduced through the review of the visual impact analysis.**
2) **In no case shall a proposed transmission tower exceed 150 feet within the city limits, except where a height variance is granted by the Zoning Board of Adjustments to allow a tower or antenna that demonstrates a hardship that can only be remedied by locating a tower or antenna exceeding such height on a proposed site within the city limits.**

e. **Stealth Towers**

Any tower determined to meet the Stealth Tower definition of this ordinance by the approving authority may be located in any zoning district with a Conditional Use Permit. Approved Stealth Towers do not have to meet the tower separation or thoroughfare setback requirements of this section.

5. **Landscaping, Screening, And Aesthetic Standards**

The following requirements shall govern any transmission tower or any parabolic antenna larger than two (2) meters.

a. **Landscaping: Refer to Section 7.5, Landscaping and Tree Protection. Plant materials and/or fencing that effectively screen the WTF site from view of the public right-of-way will be required.**

b. **New transmission towers shall maintain a flat (not shiny, reflective, or glossy) finish or be painted in accordance with any applicable standards of the FAA (unfinished galvanized steel is not acceptable).**

c. **If an antenna is installed on a support structure other than a tower, the antenna and supporting electrical and mechanical equipment must be of a neutral color that is identical to, or closely compatible with, the color of the supporting structure so as to make the antenna and related equipment as visually unobtrusive as possible.**

d. **WTFs shall not be artificially lighted with the exception of motion detectors as security lighting, unless required by the FAA or other applicable authority. If lighting is required, the City may review the available lighting alternatives and approve the design that would cause the least disturbance to the surrounding properties.**

e. **Towers may not be used to exhibit any signage or other advertising.**

6. **Attached WTFs**

WTFs may attach to the exterior of any non-residential and non-historic building within any zoning district provided the antenna and antenna support structure or equipment are mounted flush with the vertical exterior of the building or projects no more than 24 inches from the surface of the building to which it is attached and does not raise the height of the building more than 10 feet and does not violate the maximum height restriction of that zoning district. The attached WTF must be colored so as to blend with the surrounding surface of the building.

7. Stealth Antennas

Any antenna meeting the stealth antenna definition of this ordinance and locating on an alternative mounting structure may attach to the exterior of any non-residential building within any zoning district with approval of the zoning official.

8. Application Procedures

a. Site Plan Requirements

An application for administrative approval or a Conditional Use Permit for a WTF shall include the following items (in addition to the site plan and other information required for a standard CUP application):

b. An inventory of the applicant's existing and future towers that are either within the City, the City's ETJ, or within at least one (1) mile of the City's boundary where the ETJ does not extend that far. The inventory shall include specific information about the location, design, and height of each tower. The owner must have on file with the Planning and Development Services Department a master list of all existing tower structures owned or controlled by the owner. Such list must specify the name, address and telephone number of the owner of record, the tower locations by address and legal description, tower height, the number of antenna arrays on the tower, and the names, addresses, and telephone numbers of all other users of the tower structures. The Administrator may share such information with other applicants or organizations seeking to locate antennas within the City.

c. Site plan drawn to scale clearly indicating the location, height, and design of the proposed tower, equipment cabinets, transmission buildings and other accessory uses, access, parking, fences, and landscaped areas.

d. The linear separation distance from other transmission towers within a one-mile radius of the proposed tower site. The linear separation distance from all residentially-zoned properties, residential structures and applicable thoroughfares as outlined in Section 6.3.T.4.b, Proximity to Major Thoroughfares, within 500 feet of the proposed tower.

e. A visual impact analysis, presented as color photo simulations, showing the proposed site of the WTF. At least four (4) views shall be submitted looking toward the site (typically north, south, east and west) including views from the closest residential property and from adjacent roadways. The photo-realistic representation shall depict a "skyline" view showing the entire height of the proposed tower or WTF to scale, and the structures, trees, and any other objects contributing to the skyline profile.

f. Plans for the antenna and the antenna tower shall be prepared and signed by a licensed professional engineer and designed to withstand sustained winds of at least eighty (80) miles per hour.

g. All telecommunication facilities must meet or exceed the current standards and regulations of the FAA, the FCC, and any other agency of the Federal Government with the authority to regulate telecommunication facilities. An applicant for a permit shall submit an affidavit confirming compliance with applicable regulations.

h. Grid plan (propagation map) of the service area for existing and future structures for a period of not less than five (5) years. The submission should include a map showing the "search ring" that was required for siting the proposed facility.

9. Collocation Requirements

No new tower shall be built, constructed, or erected in the City unless the tower is capable of supporting additional wireless telecommunication facilities. The applicant must submit a letter addressed to the City declaring an intent and willingness to construct a proposed tower that would allow additional service providers to locate on the new tower.

10. Documentation of Need and Alternatives

No new communications tower shall be permitted unless the applicant demonstrates to the reasonable satisfaction of the approving authority that no existing tower, building, structure, or alternative technology can accommodate the applicant's proposed antenna. The applicant

shall submit information related to the availability of suitable existing towers, other structures or alternative technology that can accommodate the applicant's proposed antenna. The zoning official or approving authority may request information necessary to demonstrate that reasonable alternatives do not exist. The applicant must submit:

a. The names, addresses, and telephone numbers of all owners of other towers or usable antenna support structures within a one-half mile radius of the proposed new tower site, including City-owned property.

b. A sworn affidavit attesting to the fact that the applicant made diligent, but unsuccessful, efforts to obtain permission to install or collocate the new facility on existing towers or antenna support structures located within one-half (½) mile radius of the proposed tower site. The affidavit shall spell out the efforts taken by the applicant.

c. A description of the design plan proposed by the applicant to the City. The applicant must demonstrate the need for towers and why technological design alternatives, such as the use of microcell, cannot be utilized to accomplish the provision of the applicant's telecommunications services.

11. Conditional Use Permits

Major WTFs must apply for a conditional use permit (CUP) as outlined in Section 6.3.Q.3, Permit table Locations, under the procedures set forth in Section 3.13, Conditional Use Permit. In addition to the standard guidelines, the following additional factors shall be considered by the Planning & Zoning Commission when determining whether to grant a CUP for WTFs:

a. Height of the proposed tower, surrounding topography and surrounding tree coverage and foliage as they relate to:

1) Skyline impact, examining whether the proportions of the structure appears to dominate or blend in with the surrounding environment.

2) Shadow impact, whether or not the proposed tower will cast shadows that would prevent the reasonable use or enjoyment of surrounding properties.

b. Design of the tower, with particular reference to design characteristics that have the effect of reducing or eliminating visual obtrusiveness.

c. Proximity of the tower to residential structures and residential district boundaries.

d. Economic impact on adjacent and nearby properties.

e. Proposed ingress and egress.

f. Availability of suitable alternatives and/or existing support structures.

g. All the information submitted as part of the site plan.

12. Abandonment

Any WTF that is not operated for a continuous period of 12 months shall be considered abandoned, and the owner of such facility shall remove same within 60 days of receipt of notice from the City notifying owner of such abandonment. If such facility is not removed within said 60 days, the City may remove such facility at the property owner's expense. If there are two or more users of a single WTF, then this provision shall not become effective until all users cease operations on the tower.

U. Places of Worship

1. **Where the parking lot abuts residential development, a 10-foot buffer yard with buffer plantings and a minimum 6-foot privacy fence is required pursuant to Section 7.6, Buffer Requirements.**

2. **When outdoor accessory uses including, but not limited to, playgrounds, recreational areas, and special event areas abut residential uses, a minimum 15-foot buffer yard with buffer plantings and a 6-foot privacy fence is required pursuant to Section 7.6, Buffer Requirements.**

6.4 Accessory Uses

A. Accessory Uses

Accessory uses are allowed with permitted, established primary structures and uses subject to the following:

1. **The use or structure is subordinate to and serves a primary use or principal structure;**

2. **The accessory use shall be subordinate in area, extent, and purpose to the primary use served;**

3. **The accessory use shall contribute to the comfort, convenience, or necessity of occupants of the primary use served;**

4. **The accessory use shall be located within the same zoning district as the primary use is permitted; and**

5. **Accessory uses located in residential districts shall not be used for commercial purposes other than permitted home occupations.**

B. Accessory Structures

6. **No accessory structure shall be erected in any required setback area. Excluded from this requirement is any portable storage building or structure if the Building Official has determined that it does not require a Building Permit.**

7. **On lots with approved rear access all setbacks shall be measured from the nearest boundary of the access easement or alley. On all other lots rear setbacks shall be measured from the rear property line. In no event shall more than 30 percent of the rear yard area (that portion of the yard between the rear setback line of the principal structure and the rear property line) be covered with accessory buildings, structures, or uses.**

8. **The following restrictions shall apply to accessory buildings, structures, or uses other than garages, carports, and living quarters for family or servants:**

   a. **A minimum rear setback of 15 feet; and,**

   b. **A maximum building eave height of eight feet.**

2. **Garage and Carports**

Garages and carports in residential zoning districts, including those of a temporary nature, shall have a minimum rear setback of 20 feet. A minimum side yard setback of 20 feet shall also be applied when garages and carports, including those of a temporary nature, gain access from a side street. All other setbacks shall be applied as required in the district in which the structure is located. The following restrictions shall apply to garages and carports:

a. **A minimum rear setback of 20 feet; and,**

b. A minimum side street setback of 20 feet is required for garages or carports that face onto side streets.

3. Living Quarters

Accessory apartments may not be rented to persons other than bona fide servants employed on the premises and members of the family of the occupant(s) of the principal structure.

a. Single meter service shall be provided to each buildable parcel.

b. The accessory use shall be subordinate to and serve a primary use or principal structure.

c. In combination, all accessory uses shall contain no more square footage than 25 percent of the habitable floor area of the principal structure (with the exception of garage or carport areas devoted to the storage of vehicles, which shall not be included in the calculation and may exceed the 25 percent restriction).

d. A minimum rear setback as stated in Section 5.2, Residential Dimensional Standards, for the district in which the accessory building or structure is located; and

e. A maximum size not to exceed 25 percent of the area of the principal structure.

C. Home Occupation

A home occupation is that accessory use of a dwelling that shall constitute all or some portion of the livelihood of a person or persons living in the dwelling.

1. In-home Day Care (six or fewer people)

2. Bed & Breakfast

A bed and breakfast facility shall be considered accessory to a single-family dwelling.

a. No more than four unrelated individuals may occupy the property overnight.

b. The facility must maintain a residential appearance and be the permanent residence of the proprietor.

c. Limit number of rooms to four where shared/common bathrooms may be provided.

d. No cooking facilities are permitted in individual rooms.

3. Exclusions to Home Occupations

No home occupation shall be permitted that results in any of the following:

a. Changes the outside appearance of the dwelling;

b. Is visible from the street;

c. Generates traffic, parking, sewerage, or water use in excess of what is normal in the residential neighborhood;

d. Results in the off-street or on-street parking of more than two vehicles at any one time not owned by members of the occupant family;

e. Creates a hazard to persons or property;

f. Results in electrical interference;

g. Is a nuisance;

h. Results in the any outside storage or display; or

i. Includes employment within the home or on the premise of persons other than members of the occupant family.

4. **Prohibited Home Occupations**

The following are prohibited as home occupations:

a. **Barber, beauty, and other personal service shops;**

b. **Animal hospitals, stables, or kennels;**

c. **Dance studios, schools;**

d. **Mortuaries;**

e. **Private clubs;**

f. **Repair shops;**

g. **Restaurants;**

h. **Automobile paint or repair shops;**

i. **Doctor, dentist, veterinarian, or other medically related office; or**

j. **Rooming/Boarding House.**

D. **Recycling Facilities – Small**

1. **Single Feed Reverse Vending Machines**

Single feed reverse vending machines may be located with a permit either in the interior or immediate exterior of commercial, industrial, or public facilities.

2. **Small Collection Facilities**

Small collection facilities may be permitted when established on an improved surface in conjunction with an existing commercial or industrial use or public facility. The host facility must be in compliance with all City codes. No facility may occupy more than 500 square feet, nor occupy more than five parking spaces of the host site. All vehicular and pedestrian circulation aisles shall be unobstructed.

a. **Setbacks**

Each facility shall be set back at least 10 feet from any right-of-way line when located in front of the host use. Side, side street, and rear setbacks established for commercial uses shall be maintained.

Containers intended for 24-hour donation of materials shall be a minimum of 40 feet from property zoned or developed for residential use. Attended facilities within 100 feet of residentially-zoned or developed property shall operate between the hours of 9:00 A.M. and 7:00 P.M.

b. **Landscaping**

A small collection facility shall not be placed on the host site in such a manner as to impair the landscaping required for the subject site.

c. **Parking**

One space will be required if an attendant is provided. Occupation of parking spaces by the collection facility and attendant shall not reduce available parking spaces below the minimum number required by ordinance for the host site.

d. **Noise**

Noise levels shall not exceed 60 dBA as measured at the property line of residentially-zoned or developed property, otherwise noise levels shall not exceed 70 dBA.

e. **Signage**

Each container must be clearly labeled with a sign, limited to one per container and no larger than 20 percent of the side upon which the sign is placed, to provide information pertaining to the type of material to be collected within the container, and the name and

telephone number of a person responsible for maintenance who may be contacted at all times. days between the issuance of permits.

6.5 Temporary Uses

Temporary Uses, as set forth below, are declared to have characteristics which require certain controls in order to insure compatibility with other uses in the district within which they are proposed for location.

A. Particular Temporary Uses Permitted

1. **Garage Sales;**

2. **Indoor and outdoor art and craft shows, exhibits, and sales;**

3. **Sales of Christmas trees or other seasonal goods;**

4. **Religious revival tents;**

5. **Temporary buildings and equipment for uses incidental to construction work on premises in any zone but shall be removed upon the completion or abandonment of construction work. None shall be located on any public street or public right-of-way at any time during construction; and**

6. **Temporary facilities for manufacturing concrete or concrete products may be located in all zoning districts where they are directly associated with construction in the area. Retail sales of concrete products shall be prohibited in conjunction with temporary concrete plants. The production site must be returned to its pre-construction state following completion of the associated project.**

B. Temporary Residential Sales Offices and Model Homes

The following regulations shall apply to the conduct of temporary residential sales offices and model homes within residential zoning districts:

1. **Temporary residential sales offices and model homes may be located within a residential district as part of an on-going residential development; however, they shall only be located at the end of a residential block on the periphery of a subdivision or at the entrance to a subdivision;**

2. **Any temporary residential sales office or model home shall be removed or converted to a use permitted within the district when Certificates of Occupancy have been issued to 95 percent of the associated residential units or when use as a sales office or model home has ceased; and**

3. **Model homes for new subdivisions shall only be occupied for residential habitation after all business activities have ceased and upon sale of the home.**

APPENDIX VI

Article 7. General Development Standards

The following general development standards shall apply to all zoning districts, except where expressly stated to apply to, or exclude, specific districts.

7.1 General Provisions

A. Health and Environmental Safeguards

No machine, process, or procedure shall be employed on any property in the City, in which:

1. **Emission of smoke, dust, or noxious, toxic or lethal gases are detectable beyond the perimeter of the property;**

2. **Materials are stored or accumulated in such a way that they may be carried by rainwater in natural drainage channels beyond the limits of the property, which are noxious, toxic, radioactive, contain oil or grease, wood, cellulose fibers, hair, feathers, or plastic, or have a pH factor greater than ten or less than five;**

3. **Vibration is discernible beyond the property line; or**

4. **Noise above the ambient noise level is discernible beyond the property line.**

B. Minimum Requirements

1. **No building plot shall have lower or less stringent standards or dimensions than those prescribed for respective zones in this UDO.**

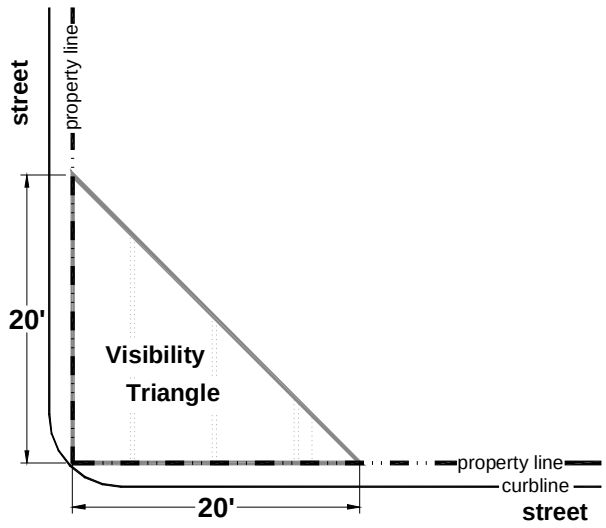
2. **No building permit or development approval may be issued for a lot that does not meet the minimum lot area requirements of this UDO except as provided for in Article 9, Nonconformities.**

3. **In the absence of public water or public sewer, no building permit shall be issued until the lot meets all applicable requirements of this UDO and the Texas Department of Health and Environmental Control. A septic system that has been approved by the Brazos County Health Department may be permitted if an exception to sewer service has been granted under Chapter 11, Section 2 of the COLLEGE STATION CODE OF ORDINANCES, as amended.**

4. **Utilities using land or an unoccupied building covering less than 1,000 square feet of site area shall be exempt from minimum lot area standards.**

C. Visibility at Intersections in all Districts

Within a triangle defined by the property lines and a line joining two points located 20 feet back from the intersection of the property lines, nothing shall be erected, placed, planted, or allowed to grow in such a manner as materially to impair vehicle drivers' vision at intersections. In addition, for commercial and multifamily driveways, a visibility triangle defined by the curb lines and a line joining two points located 20 feet back from the intersection of the curb lines shall apply. Fences, walls, and/or hedges may be permitted in visibility triangles provided that such fences, walls, and/or hedges do not impair vision from three feet to six feet above the curb.



D. Required Yards (Setbacks)

1. Purpose & Intent

a. Setbacks are measured from the property line;

b. On lots with approved rear access, the rear setback shall be measured from the nearest boundary of the access easement or alley;

c. No structure that is taller than eight feet in height and that has a roof structure that completely or partially blocks the view to the sky shall be located within the required setback area unless specifically allowed herein;

d. No part of a yard or other open space required in connection with any building, building plot, or use for the purpose of complying with this UDO, shall be included for any other building, building plot, or use as part of a yard or open space; and

e. Where an existing block was created by an approved plat prior to July 15, 1970, a new (infill) single-family dwelling unit shall use the adjacent lots to determine the appropriate front yard setback. The new dwelling unit shall be set no closer to the street or farther back from the street than the nearest neighboring units.

2. Reduction for Public Purpose

a. When an existing setback is reduced because of a recent or pending conveyance to a federal, state, or local government for a public purpose and the remaining setback is at least 50 percent of the required minimum setback for the district in which it is located, then that remaining setback will be deemed to satisfy the minimum setback standards of this UDO.

b. For the purposes of this subsection, such conveyance shall have occurred within one year immediately proceeding submittal for site plan approval, or be anticipated to occur within one year of site plan approval.

3. Features Allowed Within Required Yards

The following features may be located within a required yard but may be subject to additional regulations applied herein:

a. Trees, shrubbery, or other landscape features, excluding gazebos or other similar structures that partially cover the view skyward;

b. Fences and walls;

c. Driveways;

d. Sidewalks;

e. Utility lines, wires, and associated structures, such as power poles;

f. Mechanical equipment such as air conditioning units, pool pumps, and similar equipment;

g. Uncovered porches, uncovered steps to building entrances, and uncovered patio decks;

h. Openwork fire balconies and fire escapes may extend up to six feet into any required rear setback;

i. Sills, belt courses, cornices, buttresses, chimneys, flues, eaves, and other architectural features may extend up to 18 inches into any required yard;

j. Balconies or decks located more than eight feet from the ground may project up to six feet into the required front yard;

k. Accessory structures that do not require building permits;

l. Bus stops that offer shelter from the elements. Such shelters may be located within a front or side street yard. Shelters may be located within a public right-of-way if a Private Improvement in Public right-of-way permit has been duly issued; and

m. Swimming pools and hot tubs without shelter.

E. More Than One Principal Structure on a Lot or Parcel

1. In any single-family or duplex residential district, no more than one structure housing a permitted principal use may be erected on a single lot or building plot.

2. In all other districts, more than one structure housing a permitted principal use may be erected on a building plot. Yard and other requirements herein shall apply to the building plot.

F. Fences

Fences of wood, chain-link, or similar material, and less that eight feet in height, and fences of brick, stone, concrete, or similar material, and less than six feet in height, shall not be construed to be structures, nor shall they require a building permit.

G. Building Plot

1. Building plot refers to all of the land within an area defined by the Administrator that consists of one or more platted lots for a single development. Such determination shall be made at the platting stage or at the time of site plan.

2. In the event that two or more lots are under single ownership and the existing structure does not meet the required yard setback, both lots shall be construed as the building plot.

3. The Administrator shall determine the building plot using the following criteria:

a. Contiguous properties that consist of less than two acres and have one or fewer frontages on a street classified as a collector or higher on the current Thoroughfare Plan will be consolidated and defined as one building plot for the purposes of signage;

b. Contiguous properties that develop according to a common plan or design for similar or compatible uses, which singularly or in phases, is treated as such for site plan review purposes including signage; or

c. Contiguous properties that as determined by the Administrator need to be consolidated for ease of access, reduction of the proliferation of signage along the public right-of-way, or other public health, safety, or general welfare reasons.

H. Height

1. Building Height

Building height refers to the vertical distance measured from the finished grade, or the base flood elevation where applicable, and the following points:

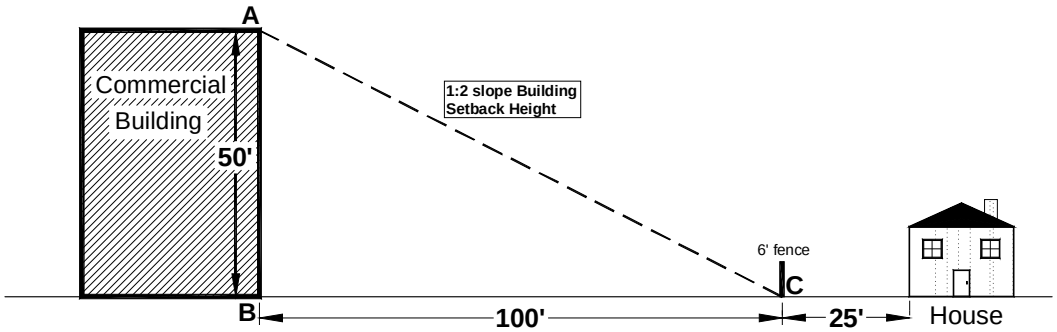
a. The average height level between the eaves and ridge line of a gable, hop, or gambrel roof;

b. The highest point of a mansard roof; or

c. The highest point of the coping of a flat roof.

2. Single Family Protection

a. With the exception of NG, RDD, and P-MUD districts, no multi-family or non-residential structure shall be located nearer to any property line adjacent to a single-family use or townhouse development than a horizontal distance (B to C) of twice the vertical distance (height, A to B) of the structure as illustrated in the graphic below.



b. No additional multi-family or non-residential structures shall penetrate an imaginary line, illustrated by the inclined plane in the graphic above, connecting points A and C.

c. Calculation of the height limits shall be to the highest point of the structure. Equipment such as satellite dishes and heating and air conditioning units may be installed on top of buildings provided that they are screened from horizontal view and included in the height limitations.

d. Unless otherwise stated in this UDO, the height limitations herein shall not apply to any of the following:

8) Utility structures such as elevated water storage tanks and electrical transmission lines;

9) Architectural elements such as flagpoles, belfries, cupolas, spires, domes, monuments, chimneys, bulkheads, elevators, or chimney flues; or any other similar structure extending above the roof of any building where such structure does not occupy more than 33 percent of the area of the roof; or

10) Residential radio/television receiving antennas.

I. Public Address Systems

Public Address Systems shall not be audible to an adjacent residential use.

7.2 Off-Street Parking Standards

A. Purpose

The purpose of this Section is to establish the guidelines for off-street parking areas consistent with the proposed land use to:

1. **Eliminate the occurrence of non-resident on-street parking in adjoining neighborhoods;**

2. **Avoid the traffic congestion and public safety hazards caused by a failure to provide such parking areas; and**

3. **Expedite the movement of traffic on public thoroughfares in a safe manner, thus increasing the carrying capacity of the streets and reducing the amount of land required for streets, thereby lowering the cost to both the property owner and the City.**

B. Off-Street Parking Spaces Required

1. **In all districts, for all uses, at the time any building or structure is erected, enlarged, or increased in capacity, or at any time any other use is established, there shall be off-street parking spaces provided for motor vehicles in accordance with the requirements specified herein.**

2. **Where off-street parking facilities are provided in excess of the minimum amounts specified by this Section, or when off-street parking facilities are provided but not required, said off-street parking facilities shall comply with the minimum requirements for parking and maneuvering space as specified in this Section.**

3. **It shall be unlawful to discontinue or dispense with, or cause the discontinuance or reduction of, the required parking facilities apart from the discontinuance of the building, use, or structure without establishing alternative off-street parking facilities that meet these requirements.**

C. Dimensions and Access

This Section applies to any development or redevelopment of uses other than single-family residential, duplexes, or townhouses unless otherwise noted.

1. **Each off-street parking space for automobiles shall have an area of not less than nine by twenty feet (9' x 20') and each stall shall be striped. This standard shall apply for off-street parking for all uses including single-family residential, duplexes, and townhouses. Single-family residential and townhouses are not required to stripe parking spaces.**

2. **An 18-foot paved space (90 degree only) may be utilized where the space abuts a landscaped island with a minimum depth of fourfeet (4'). An 18-foot space may also be used when adjacent to a sidewalk provided that the minimum width of the sidewalk is six feet.**

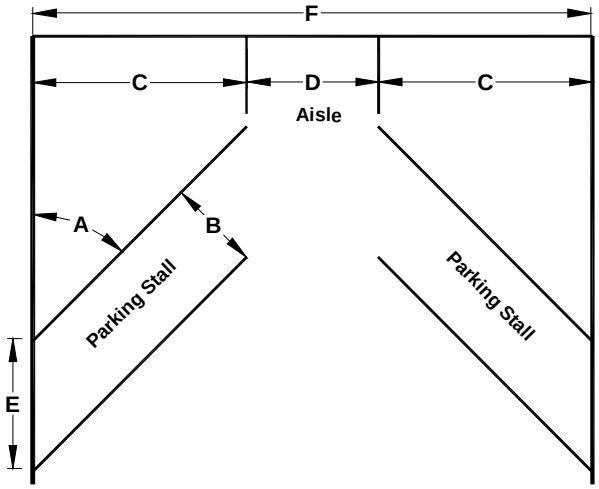
3. **Each parking space intended for use by the handicapped shall be designed in accordance with the standards of the Texas Architectural Barriers Act (TABA) administered by the Texas Department of License and Regulation.**

4. **Each parking space and the maneuvering area thereto shall be located entirely within the boundaries of the building plot except where shared parking is approved by the City.**

5. **All parking spaces, aisles, and modules shall meet the minimum requirements, as shown in the following table. All dimensions are measured from wall to wall.**

PARKING SPACE AND AISLE DIMENSIONS

A	B	C	D		E	F	
Angle (degrees)	Width of stall	Depth of stall 90° to aisle	Width of aisle		Width of stall parallel to aisle	Module width	
			One way	Two way		One way	Two way
0	22 feet	10 feet	12.0 feet	20.0 feet	22.0 feet	22.0 feet	40.0 feet
45	9 feet	21.1 feet	12.0 feet	20.0 feet	12.7 feet	54.2 feet	62.2 feet
60	9 feet	22.3 feet	15.0 feet	22.0 feet	10.4 feet	59.6 feet	66.3 feet
90	9 feet	20.0 feet	23.0 feet	23.0 feet	9.0 feet	63.0 feet	63.0 feet



6. The width of an alley may be assumed to be a portion of the maneuvering space requirement for off-street parking facilities located adjacent to a public alley. This standard shall apply for off-street parking for all uses including single-family residential, duplexes, and townhouses.

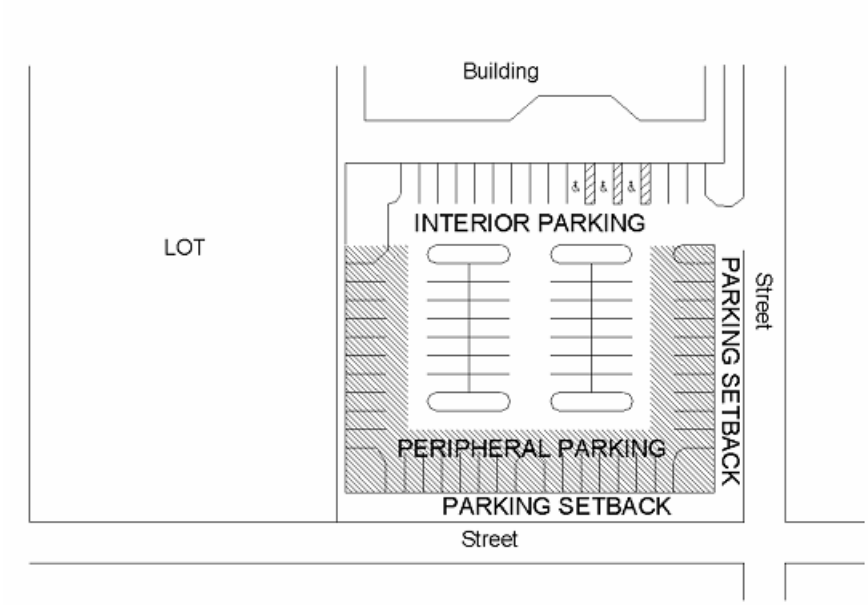
7. Parking lots located within fifteen feet (15') of a public right-of-way shall have a maximum of seven (7) contiguous spaces separated by an eighteen- by twenty-foot (18' x 20') landscaped island. All parking lots and drive aisles shall be setback a minimum of six feet (6') from any public right-of-way.

8. Parking is discouraged along entrance drives and should be limited on major circulation aisles of large developments and major retail centers.

9. The Design Review Board may waive parking lot dimension requirements in the Northgate and Wolf Pen Creek districts if the development meets the goals of the master plan for the respective district.

D. End Islands

1. A raised island, encompassing not less than 180 square feet in area, shall be located at both ends of every interior and peripheral parking row, regardless of the length of the row. End islands may have sidewalks through them. Examples of interior and peripheral parking are shown in the figure below.



2. All end islands must be raised at least six inches and curbed, with the majority of the area of each island planted or treated with enhanced paving. The soil within the planted area shall not be compacted or stabilized and shall be contiguous with the soil at the natural grade.

E. Interior Islands

1. All interior islands shall be evenly distributed throughout the interior of the parking area.

2. For every fifteen (15) interior parking spaces, 180 square feet of landscaping must be provided somewhere in the interior rows of the parking lot. Interior island areas may be grouped and configured as desired provided that circulation aisles remain clear and the minimum island area is not less than 180 square feet. Interior islands may have sidewalks through them.

3. End island areas that exceed the minimum required may be counted toward the interior parking island requirement.

4. All interior islands must be raised at least six inches and curbed, with the majority of the area of each island planted or treated with enhanced paving. The soil within the planted area shall not be compacted or stabilized and shall be contiguous with the soil at the natural grade.

F. Requirements Apply to All Parking Areas

Every parcel of land hereafter used as a public parking area, excluding overflow parking for churches, including commercial parking lots, and parcels used for open-air sales lots shall be developed and maintained in accordance with the requirements in this Section.

G. Surfacing

1. General

All surfacing of off-street parking areas shall be constructed of either asphalt or concrete as described in the *City of College Station Standard Specifications for Construction, Part VIII Standard Details*. Variances to the standards shall be approved by the Development Engineer. All off-street parking areas shall be graded to drain and maintained so as to dispose of surface water accumulated within the area. Parking spaces shall be so arranged and marked so as to provide for orderly and safe parking of vehicles.

2. Non-Public, All-Weather Drive Surfaces

Temporary or permanent drive surfaces that are required for emergency access or turnaround for emergency vehicles must be constructed to function under all weather conditions. To accommodate a project during construction, phasing, or permanent installation, drive surfaces that do not meet the requirements for permanent pavement surfaces may be allowed at the discretion of the Development Engineer for the specific conditions stated below:

a. Temporary All-Weather Surface (During Construction)

A structure under construction must be accessible by an all-weather drive surface as specified in the City of College Station *Standard Specifications for Construction, Part VIII Standard Details*.

b. Semi-Permanent All-Weather Surface (During Phasing)

In cases during phasing of a large project, emergency access and turnarounds often must be added as a temporary measure until additional phases are constructed. These emergency access areas may consist of permanent pavement surface as specified in the City of College Station Specifications for Construction, Part VIII Standard Details.

c. Permanent All-Weather Surface (Permanent)

In some development scenarios, an emergency access or turnaround must be constructed to meet emergency access purposes and is not required for public traffic, service vehicles or sanitation vehicles. In these cases, the area required for emergency access only may consist of permanent pavement surface as specified in the City of College Station Standard Specifications for Construction, Part VIII Standard Details.

H. Number of Off-Street Parking Spaces Required

In computing the number of parking spaces required, the following rules shall govern:

1. Parking requirements based on square footage shall be based upon the gross floor area, unless otherwise stated. Service areas such as mechanical rooms, restrooms, and closets shall be included in the calculation of "gross floor area" for determining required parking spaces.

2. Where fractional spaces result in computing required parking spaces, the required number of spaces must be increased to the nearest whole number.

3. The parking space requirements for a use not specifically listed shall be the same as those for the most similar to the proposed use, as determined by the Administrator.

4. Whenever a building or use constructed or established after the effective date of this UDO is changed or enlarged in floor area, number of employees, number of dwelling units, seating capacity, or otherwise, parking requirements shall be met on the basis of the enlargement or change. Whenever a building or use existing prior to the effective date of this UDO is enlarged, the enlarged building or increased use shall then and thereafter comply with the parking requirements set forth herein.

5. In the case of mixed uses, the parking spaces required shall equal the sum of the requirements of the various uses computed separately. This includes the parking requirements for uses such as private schools, day care centers, soup kitchens, and computer centers located on property used for religious worship.

6. Where requirements are established on the basis of the number of seats, such requirements shall be based on the seating capacity as determined by the Building Official.

7. Where a manufacturing/industrial use has more than one working shift of employees, parking shall be provided to accommodate overlap requirements during transition periods.

8. When the developer of a large-scale development can demonstrate that such development will require fewer parking spaces than required by the standards of this Section, the Administrator may permit a reduction in the number of required parking spaces for the development. Such a reduction in parking spaces shall be justified through the development of a parking study prepared by a professional engineer or transportation planner and submitted to the

Administrator. The balance of the land necessary to meet these requirements shall be held in reserve as an undeveloped area, to meet any future needs generated by an expansion of the business, a change in land use, or underestimated parking demand.

9. The Design Review Board may waive parking space requirements in the Northgate and Wolf Pen Creek districts if the development meets the goals of the master plan for the respective district.

MINIMUM OFF-STREET PARKING REQUIREMENTS

Use	Unit	Spaces/ Unit	Plus Spaces For:
Airport	As determined by the Administrator		
Banks	250 s.f.	1.0	
Bowling Alley	As determined by the Administrator		
Bus Depot	As determined by the Administrator		
Car Wash (Self-Serve)	Wash Bay	1.0	1.0 space per vacuum bay
Church	Seat	0.33*	
Convalescent Home/Hospital	Bed	0.5	
Duplex Dwelling: 1 & 2 Bedroom 3 Bedroom	DU DU	2.0 3.0	
Dormitory	Bed	0.75	
Day Care Center	250 s.f.	1.0	
Fraternal Lodge	75 s.f.	1.0	
Fraternity/Sorority House	Person	1.0	1/30 s.f. meeting room
Freight Station	As determined by the Administrator		
Funeral Parlor	Seat	0.33	
Golf Driving Range	Tee Station	1.0	
Health Club/Sports Facility	As determined by the Administrator		
Gasoline and Fuel Service	300 s.f.	1.0	
Group Housing	BR	2.0	As determined by the Administrator
Health Studio	150 s.f.	1.0	
Hospital	As determined by the Administrator		
Hotel/Motel	DU	1.0	1/200 s.f. meeting room
HUD-Code Manu. Home	DU	2.0	
Laundry	150 s.f.	1.0	
Motor Vehicle Sales/Service Office/Sales Area Service Area	 250 s.f. 100 s.f.	 1.0 1.0	
Medical or Dental Clinic < 20,000 s.f.	200 s.f.	1.0	
Multi-family Dwelling: 1 Bedroom 2 Bedroom (ea. BR<130 s.f.) 2 Bedroom 3+ Bedroom	BR BR BR BR	1.5 1.5 1.25 1.0	
Night Club	50 s.f.	1.0	
Office Building	250 s.f.	1.0	
Personal Service Shop	250 s.f.	1.0	
Priv. School or Comm. Studio	100 s.f.	1.0	
Retail Sales & Service: C-1 C-2 C-3	250 s.f. 350 s.f. 250 s.f.	1.0 1.0 1.0	
Restaurant (w/o drive-through) (w/ drive-through)	65 s.f. 100 s.f.	1.0 1.0	
Rooming/Boarding House	Person	1.0	
Sales Display	250 s.f.	1.0	
Single-family Dwelling	DU	2.0	
Shopping Center**: C-1 C-2 C-3	250 s.f. 350 s.f. 250 s.f.	1.0 1.0 1.0	
Townhouse	DU	2.0	
Theater	Seat	0.25	
Truck Terminal	As determined by the Administrator		
Veterinary Clinic	300 s.f.	1.0	
Warehouse	1000 s.f.	1.0	

"s.f." = square footage. "DU" = Dwelling Unit. "BR" = Bedroom.

* Overflow parking above required parking spaces may be grassed rather than paved. All unpaved spaces shall be shown on site plan and organized for efficient traffic circulation using wheel stops and other appropriate measures as required by the Administrator.

** No more than 25% of any shopping center square footage shall be utilized for intense uses (uses that, individually, have a parking requirement greater than 1:250 in C-1 or C-3 and 1:350 in C-2) unless additional parking is provided in accordance with the above requirements for that square footage of such uses in excess of 25%.

I. Alternative Parking Plans

1. Scope

An Alternative Parking Plan represents a proposal to meet vehicle parking and transportation access needs by means other than providing parking spaces on-site in accordance with the ratios established in Section 7.2.H, Number of Off-Street Parking Spaces Required.

2. Applicability

Applicants who wish to provide fewer or more off-street parking spaces than allowed above shall be required to secure approval of an Alternative Parking Plan, in accordance with the standards of this Section. The Administrator may require that an Alternative Parking Plan be submitted in cases where the Administrator deems the listed standard to be inappropriate based on the unique nature of the use or in cases where the applicable standard is unclear.

3. Contents

Alternative Parking Plans shall be submitted in a form established by the Administrator and made available to the public. At a minimum, such plans shall detail the type of alternative proposed and the rationale for such a proposal.

4. Review and Approval Procedure

The Administrator shall be authorized to approve Alternative Parking Plans. Appeals of the Administrator's decision may be made to the Planning and Zoning Commission.

5. Recording

An attested copy of an approved Alternative Parking Plan shall be submitted to the County Clerk's office for recordation on forms made available in the Department of Development Services. Proof of recordation of the agreement shall be presented to the Administrator prior to issuance of a Building Permit. An approved Alternative Parking Plan may be amended by the Administrator.

6. Eligible Alternatives

A number of specific parking and access alternatives are described below. The Administrator shall, however, be authorized to consider and approve any alternative to providing off-street parking spaces on the site of the subject development if the applicant demonstrates that the proposed plan shall result in a better situation with respect to surrounding neighborhoods, city-wide traffic circulation, and urban design than would strict compliance with otherwise applicable off-street parking standards.

a. Shared Parking

The Administrator may authorize a reduction in the number of required off-street parking spaces for multiple-use developments or for uses that are located near one another and that have different peak parking demands or different operating hours. Shared parking shall be subject to the following standards:

1) Location

Shared off-street parking spaces shall be located no farther than 250 feet from the building site. The Administrator may waive this distance limitation, if adequate assurances are offered that van or shuttle service shall be operated between the shared lot and the principal use.

2) Zoning Classification

Shared-parking areas shall be considered accessory uses of principal uses that the parking spaces are intended to serve. Shared parking areas shall require the same or a more intensive zoning classification than that required for the most intensive of the uses served by the shared parking area.

3) Required Study and Analysis

The applicant shall submit a shared parking analysis to the Administrator that clearly demonstrates the feasibility of shared parking. The study shall be provided in a form established by the Administrator and made available to the public. It shall address, at a minimum, the size and type of the proposed development, the composition of tenants, the anticipated rate of parking turnover, and the anticipated

peak parking and traffic loads for all uses that shall be sharing off-street parking spaces. The Administrator shall have the authority to require a revised study and analysis should conditions change that may result in a change in site parking conditions.

4) Shared Parking Agreement

A shared parking plan shall be enforced through written agreement among the owners of record. An attested copy of the agreement shall be submitted to the County Clerk's office for recordation on forms made available in the Department of Development Services. Proof of recordation of the agreement shall be presented to the Administrator prior to issuance of a Building Permit. A shared parking agreement may be revoked by the parties to the agreement only if off-street parking is provided pursuant to this Section, or if an Alternative Parking Plan is approved by the Administrator.

5) Revocation

Failure to comply with the shared parking provisions of this Section shall constitute a violation of this UDO and shall specifically be cause for revocation of a Certificate of Occupancy or Building Permit.

b. Off-Site Parking

The Administrator may permit all or a portion of the required off-street parking spaces to be located on a remote and separate lot from the lot on which the principal use is located, subject to the standards of this Section.

1) Location

No off-site parking space shall be located more than 250 feet from the building site. The Administrator may waive this distance limitation if adequate assurances are offered that van or shuttle service shall be operated between the shared lot and the principal use.

2) Zoning Classification

Off-site parking areas shall be considered accessory uses of principal uses that the parking spaces are intended to serve. Off-site parking areas shall require the same or a more intensive zoning classification than that required for the use served.

3) Off-Site Parking Agreement

In the event that an off-site parking area is not under the same ownership as the principal use served, a written agreement among the owners of record shall be required. An attested copy of the agreement between the owners of record shall be submitted to the County Clerk's Office for recordation on forms made available in the office of the Administrator. Proof of recordation of the agreement shall be presented to the Administrator prior to issuance of a Building Permit. An off-site parking agreement may be revoked by the parties to the agreement only if off-street parking is provided on-site pursuant to Section 7.2, Off-Street Parking Standards or if an Alternative Access and Parking Plan is approved by the Administrator.

c. Bicycle Parking

The Administrator may authorize a reduction in the number of required off-street parking spaces for developments or uses that provide bicycle parking or that make special provisions to accommodate bicyclists. Examples of accommodations include bicycle lockers, employee shower facilities, and dressing areas for employees.

7.3 Access Management and Circulation

A. Location of Existing and Planned Multi-Modal Routes

Any proposed development shall take into account the location of existing and planned multi-modal routes (i.e., bikeways, pedestrian ways, and transit routes) and provide pedestrian and/or vehicular connections to the route(s) within or adjacent to the development.

B. Easements

1. Street Access

No use shall be permitted to take direct access to a street except as allowed in this Section.

a. Local Streets

All residential uses may take direct access to local streets. Nonresidential uses shall not take direct access to local streets, provided that any lot located within a nonresidential subdivision or any parcel adjacent to a street within a nonresidential subdivision may take direct access to the local street internal to the subdivision, and provided that any corner lot abutting a local street and an arterial or collector street or freeway may take access to the local street if such access is required by the highway governmental authority having jurisdiction.

b. Minor Collector Streets

No single-family dwelling, townhouse, or duplex shall take direct access to minor collector streets except when permitted by the Subdivision Regulations.

c. Major Collector Streets

No single-family dwelling, townhouse, or duplex shall take direct access to major collector streets.

d. Arterial Streets

No single-family dwelling, townhouse, or duplex shall take direct access to arterial streets.

e. Shared Driveways

The Development Engineer may require a shared driveway at the time of platting, development, or redevelopment of the affected lots.

2. Cross-Access Easements

a. If a parcel is to be developed for any nonresidential land use, a cross-access easement shall be provided by the property owner to adjoining properties that front on the same street and that are, or may be, developed as nonresidential land uses.

b. Cross-access easements shall be situated parallel to the street right-of-way line abutting both parcels. The property owner shall maintain access easements.

c. The property owner shall provide appropriate documentation of a good faith effort to extend the access easement through all immediately abutting properties. If such an effort fails, the portion of the easement on the subject site shall be developed and designed to ensure future connection to the neighboring properties.

d. Where a cross-access easement is granted, no permanent structures or parking that would interfere with the proposed access shall be permitted in the easement. Some improvements such as medians and parking islands may be constructed within an access easement if it has been demonstrated that adequate circulation and cross access has been accomplished, and that all applicable standards of this UDO have been met.

e. The Development Engineer may waive the requirement for an easement of access required above in those cases where unusual topography or site conditions would render such an easement of no useable benefit to adjoining properties.

f. The Development Engineer may approve the vacation of an easement of access in those cases where adjoining parcels are subsequently developed with a residential use.

C. Driveway Access Location and Design

1. General

a. It shall be unlawful for any person to cut, break, or remove any curb or install a driveway along a street except as herein authorized. Openings in the curb may be approved by the Development Engineer for the purposes of drainage.

b. It shall be unlawful for any person to construct, alter, extend, permit, or cause to be constructed, altered, or extended any driveway approach which can be used only as a parking space or area between the curb and private property.

c. This Section shall be deemed to be supplemental to other Sections regulating the use of public property, and in case of conflict, this Section shall govern.

d. Adequate sight distance shall be provided for a passenger motor vehicle making a left or right turn exiting from a driveway. This determination shall be made by the Development Engineer.

e. The specifications and guidelines set forth in this UDO are to be applied to driveways providing access to commercial and multi-family developments. Single-family and duplex residential driveways are excluded from this policy unless otherwise indicated.

f. As determined by the Development Engineer, engineering judgment shall override the required dimensions set forth in this Section if warranted by specific traffic conditions.

2. Location of Driveway Access

a. In making a determination as to the location of driveway access, the Development Engineer shall consider:

1) The characteristics of the proposed use;

2) The existing traffic flow conditions and the future traffic demand anticipated on the development and the adjacent street system;

3) The location of the property;

4) The size of the property;

5) The orientation of structures on the site;

6) The number of driveways needed to accommodate anticipated traffic;

7) The number and location of driveways on existing adjacent and opposite properties;

8) The location and carrying capacity of intersections;

9) The proper geometric design of driveways;

10) The spacing between opposite and adjacent driveways;

11) The internal circulation between driveways; and

12) The speed of the adjacent roadway.

b. Driveway access to arterials shall not be permitted for parking or loading areas that require backing maneuvers in a public street right-of-way. Driveway access to collector streets for commercial or multi-family developments shall not be permitted for parking or loading areas that require backing maneuvers in a public street right-of-way.

c. One curb cut shall be allowed for access to single-family and duplex residential tracts. Alternative access configurations, including circle driveways, may be allowed upon approval by the Development Engineer.

d. For corner residential lots, side access driveways shall be subject to rear building setback requirements.

e. No cuts through a left-turn reservoir of a median shall be permitted in order to provide for left-turn movements to driveway approaches.

f. Driveways in right-turn lane transition areas shall not be permitted. The right-turn lane transition area is defined as the taper and deceleration/acceleration length.

g. When a commercial or multi-family development abuts more than one public street, access to each abutting street may be allowed only if the following criteria are met:

1) It is demonstrated that such access is required to adequately serve driveway volumes and will not be detrimental or unsafe to traffic operations on public streets. The Development Engineer may require the submittal of a traffic study that demonstrates that such access is required.

2) The minimum requirements for corner clearance for commercial or multi-family driveways are met.

3. Spacing of Driveway Access

a. Application of the driveway access location and design standards requires identification of the functional classification of the street on which access is requested and then applying the appropriate spacing requirements. The City of College Station streets are classified as follows and defined in Article 11, Definitions:

1) Major Arterial;

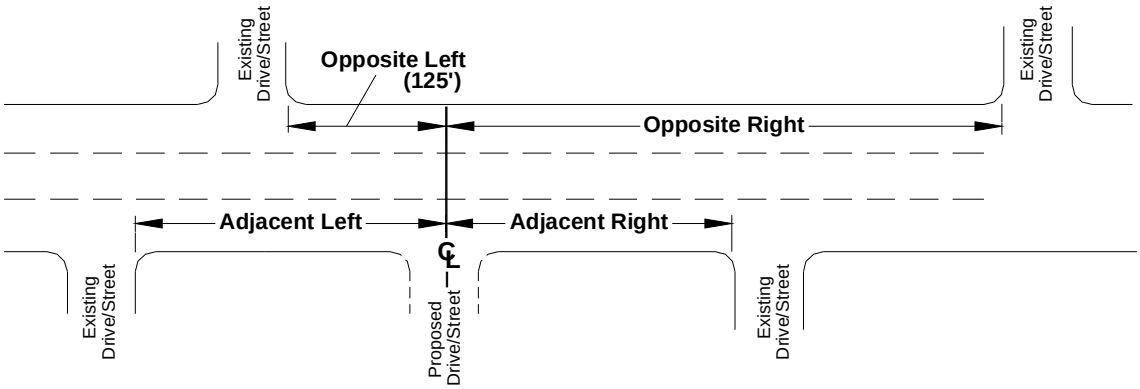
2) Minor Arterial;

3) Collector; and

4) Local Street.

b. Major arterial, minor arterial, and collector streets in the City of College Station are indicated on the Thoroughfare and Transportation Improvement Plan. The functional classification of any street in the City not indicated as an arterial or collector street on this plan shall be determined using the functional street classification defined by the most recent edition of the AASHTO, *A Policy on Geometric Design of Highways and Streets*.

c. Driveway access spacing shall be measured from the centerline of the proposed driveway pavement to the nearest edge of the roadway of the adjacent or opposite driveway or street as indicated in the illustration below.



d. A minimum of 125 feet shall be required for opposite left driveways for all street classifications.

e. If the centerline of an opposite drive is less than 15 feet from the centerline of the proposed drive, the drives form an intersection and the minimum spacing requirements shall apply for the closest drive.

f. Spacing of Adjacent Driveways

1) Adjacent drives shall be located no closer than the spacing requirement in the table below. The Development Engineer or his/her designee may allow adjacent driveway spacing less than the spacing requirement below if it is determined that favorable conditions exist under peak traffic conditions.

2) On divided streets with raised or depressed medians, it is the City's policy to align other streets, alleys, private roads, and driveways on either side of the median openings. Therefore, when locating such an intersection, it shall be assumed that this type of intersection will exist at median openings and other intersections between median openings should be spaced accordingly. The Development Engineer may waive this requirement if an existing condition precludes access at a median opening.

3) Residential alleys may be allowed on major collectors, minor collectors, and local streets at spacings less than those shown in the table below with the approval of the Development Engineer.

Adjacent Driveways	
Street Classification	**Spacing (feet)**
Major Arterial	350
Minor Arterial	300
Major Collector	235
Minor Collector and Local Street*	175

* This standard does not apply to single-family residential, duplexes, or townhomes.

g. Spacing of Opposite Right Driveways

1) Opposite right driveways shall be located no closer than the standard requirements of the table below. The Development Engineer may allow opposite right spacing below the standard spacing requirement if it is determined that favorable conditions exist under peak traffic conditions.

2) Additional opposite right spacing over and above that set forth in the table below may be required if it is determined by the Development Engineer that there is insufficient left turn queue storage or weave maneuver area between the opposite right and proposed driveway. This determination shall be made under peak traffic conditions.

3) On roadways that include raised or depressed medians prohibiting left-turning movements, this standard shall not apply.

4) Residential alleys may be allowed on major collectors, minor collectors, and local streets at spacings less than those shown in the table below with the approval of the Development Engineer.

Opposite Right Driveways	
Street Classification	**Spacing (feet)**
Major Arterial	400
Minor Arterial	350
Major Collector	300
Minor Collector and Local Street*	175

* This standard does not apply to single-family residential, duplexes, or townhomes.

4. Freeway Frontage Road Access and Location Requirements

a. Driveways shall be located in accordance with the most recent version of the *Access Management Manual,* as administered by the Texas Department of Transportation (TXDOT).

b. These guidelines apply to existing and planned interchanges.

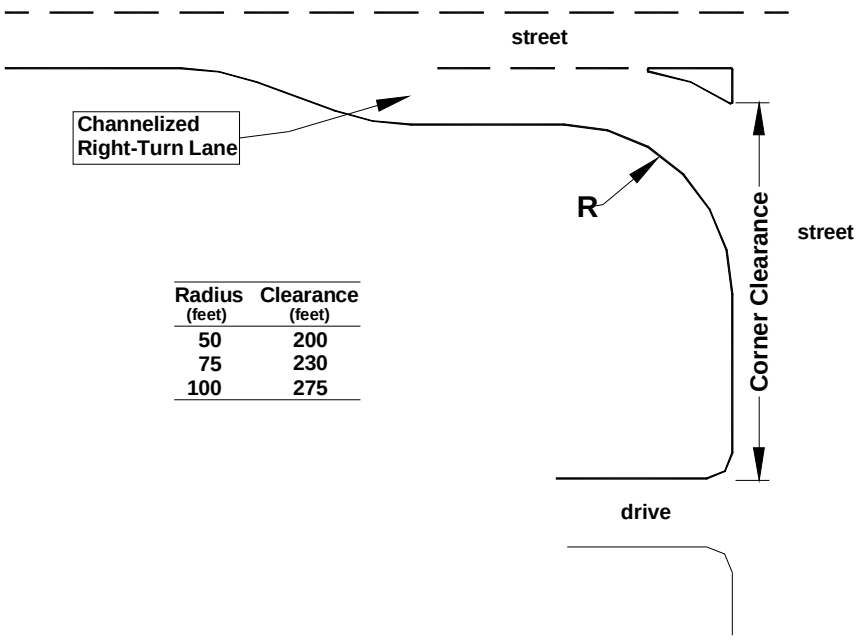
c. In addition to ramp spacing, driveways on frontage roads under the jurisdiction of the Texas Department of Transportation shall also meet the other requirements of this Section as major arterial streets.

5. Corner Clearance

a. No residential driveway approach shall be constructed within the site distance triangle detailed in Section 7.1.C, Visibility at Intersections in all zoning districts.

b. At intersections of arterials with channelized right turn lanes with yield control, a corner clearance distance in accordance with those set forth in the illustration below shall be required for the first downstream driveway when adjacent spacing requirements can not be met due to lack of frontage and all means to acquire shared-access drives or cross-access easements have been exhausted. This distance shall be measured from the

channelized median to the nearest edge of the proposed driveway as indicated in the illustration.



Radius (feet)	Clearance (feet)
50	200
75	230
100	275

c. When the requirements of the previous two tables cannot be met due to lack of frontage and all means to acquire shared-access driveways or cross-access easements have been exhausted, no commercial driveway approach may be located closer to the corner than 75 feet on collector streets, 100 feet on minor arterials, and 120 feet for major arterials. This measurement shall be taken from the intersection of property lines at the corner. When these requirements can not be met due to lack of frontage, the driveway may be located such that the radius will begin at the farthest property line.

6. Shared Access

a. A joint private access easement may be required between adjacent lots fronting on arterial and collector streets in order to minimize the total number of access points along those streets and to facilitate traffic flow between lots. The location and dimensions of said easement shall be determined by the Development Engineer.

b. A private cross-access easement may be required across any lot fronting on an arterial or collector street in order to minimize the number of access points and facilitate access between and across individual lots. The location and dimension of said easement shall be determined by the Development Engineer.

7. Geometric Design of Driveway Access

a. All driveways shall meet the City of College Station's Standard Specifications for Street Construction.

b. Curb cuts for driveways shall not be permitted in the curb return of an intersection.

c. The curb return radii for driveways intersecting at right angles with the roadway and without a deceleration lane shall be as follows:

1) Curb return radii for residential (single-family, townhouse, and duplex) driveways shall be between two and one-half feet and ten feet (2.5'–10') as shown in the figure above. Flare type residential driveways must also adhere to these dimensional criteria.

2) Curb return radii for commercial and multi-family driveways shall vary between twenty feet and thirty feet (20'-30') as shown in the figure below. When special traffic conditions exist, the Development Engineer may require larger curb return radii up to 50 feet.

3) Curb return radii for driveway types not included in (1) or (2) above shall be determined by the Development Engineer.

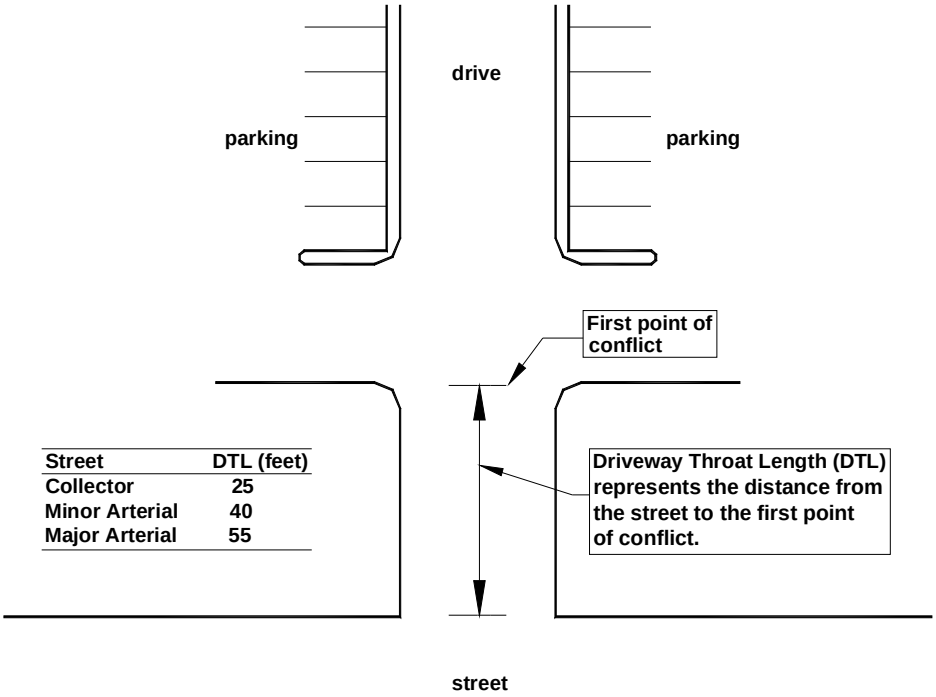
d. The maximum width of residential driveway approach, measured at the property line, shall not exceed twenty-eight feet (28') in width, while the minimum width shall not be less than ten feet (10').

e. The maximum width of commercial and multi-family driveway approaches for two-way operation shall not exceed 36 feet, except that the Development Engineer may issue permits for driveway approaches greater than 36 feet in width on major streets to handle special traffic conditions. The minimum width of commercial and multi-family driveway approaches for two-way operation shall be not less than 24 feet.

f. The combination of two driveways for residential circular drives shall not exceed twenty-eight feet (28').

g. The angle of driveway approach shall be approximately 90 degrees for two-way drives and between 45 degrees and 90 degrees for one-way drives.

h. A minimum driveway throat length shall be required to allow traffic entering the site to be stored on site, avoiding a queue of traffic onto the adjacent roadway causing delays to the through traffic stream. The driveway throat length shall be defined as the distance from the street to the first point of conflict in the driveway. Minimum driveway throat depths are provided in the figure below. For more intense uses (i.e., retail shopping center) a minimum throat depth of 130 feet will be required.



Street	DTL (feet)
Collector	25
Minor Arterial	40
Major Arterial	55

i. Gated residential communities shall use the City of College Station Subdivision Regulations Section 8.W.3, Geometric Design Guidelines as a guideline for throat depth and entry designs.

j. For the benefit of traffic safety and flow on collector and arterial streets, access points may be required to be designed to prohibit certain types of turning movements. Driveways not meeting the standard opposite and adjacent spacing guidelines may be designed for limited access by the addition of a median to the driveway.

k. For the benefit of traffic safety and flow on collector and arterial streets, auxiliary lanes may be required at driveways where high turning volumes are expected.

l. A right-turn deceleration lane with storage length plus taper may be required for any access with a projected peak hour right-turn ingress turning volume greater than 50 vehicles per hour (vph). If the posted speed is greater than 40 mph, a right-turn deceleration lane and taper may be required for any access with a projected peak hour ingress turning volume greater than 25 vph.

m. Driveways shall be constructed as to avoid altering the drainage patterns of the street and adjoining property.

n. Driveways shall be constructed to provide a crossing path within the right-of-way that meets the minimum Texas Accessibility Standards.

o. A right-turn acceleration lane with taper may be required for any access with a projected peak hour right-turning volume greater than 50 vph when the posted speed on the roadway is greater than 40 mph. Design of right-turn deceleration lanes shall be in accordance with the AASHTO Green Book on auxiliary lanes.

p. The spacing requirements for driveways not meeting the specifications in Section 7.3.C.3, Spacing of Driveways, may be lessened or waived if auxiliary lanes are used.

q. Access points on arterial and collector streets may be required to be signalized in order to provide safe and efficient traffic flow. A development may be responsible for all or part of any right-of-way dedication, design, hardware, or construction costs of a traffic signal if it is determined that the signal is necessitated by the traffic generated from the development. The procedures for signal installation and the percent of financial participation required of the development in the installation of the signal shall be in accordance with criteria set forth in the City's Traffic Signal Policy.

7.4 Signs

A. Purpose

The purpose of this Section is to establish clear and unambiguous regulations pertaining to signs in the City of College Station and to promote an attractive community, foster traffic safety, and enhance the effective communication and exchange of ideas and commercial information.

B. Applicability

The City Council recognizes that signs are necessary for visual communication for public convenience, and that businesses and other activities have the right to identify themselves by using signs that are incidental to the use on the premises where the signs are located. The Council herein seeks to provide a reasonable balance between the right of a person to identify his or her business or activity, and the rights of the public to be protected against visual discord and safety hazards that result from the unrestricted proliferation, location, and construction of signs. This Section will insure that signs are compatible with adjacent land uses and with the total visual environment of the community, in accordance with the City's Comprehensive Plan.

1. The City Council finds that the rights of residents of this City to fully exercise their rights of free speech by the use of signs containing non-commercial messages are subject to minimum regulation regarding structural safety and setbacks for purposes of traffic protection. The City Council seeks herein to provide for the reasonably prompt removal and disposal of such signs after they have served their purpose, and yet to avoid any interference with First Amendment freedoms, especially as to persons who are of limited financial means.

2. The City Council finds that instances may occur in the application of this Section where strict enforcement would deprive a person of the reasonable use of a sign, or the reasonable utilization of a sign in connection with other related property rights, and herein provides for such persons to have the right to seek variances from the requirements of this UDO for good cause. The City Council finds that it is imperative that enforcement officials apply this Section

as it is written, in the interest of equality and fair and impartial application to all persons, and that the procedures to appeal a denial of a sign permit to the ZBA shall remain the sole administrative means to obtain any exception to the terms hereof.

3. The regulations of this Section shall apply for developments within the zoning districts listed in Section 7.4.C Summary of Permitted Signs. These regulations only apply to special districts within the City of College Station so far as is stated in the following Sections of this UDO:

a. Wolf Pen Creek District (WPC), Section 5.6.A.

b. Northgate Districts (NG-1, NG-2, NG-3), Section 5.6.B.

c. Corridor Overlay District (OV), Section 5.8.A.

d. Krenek Overlay District (KO), Section 5.8.B.

C. Summary of Permitted Signs

The following signs are permitted in the relevant zoning districts of the City:

	A-O	A-OR	R-1B	R-1	R-2	R-3	R-4	R-6	R-7	A-P	C-1	C-2	C-3	R&D	M-1	M-2
Apartment/Condominium/ Manufactured Home Park Identification Signs							X	X	X							
Area Identification/ Subdivision Signs	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Attached Signs							X	X	X	X	X	X	X	X	X	X
Development Signs	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Directional Traffic Control Signs										X	X	X	X	X	X	X
Freestanding Signs											X	X			X	X
Home Occupation Signs	X	X	X	X	X	X	X	X	X							
Low Profile Signs										X	X	X	X	X	X	X
Non-Commercial Signs	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Real Estate, Finance, and Construction Signs	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Roof Signs											X	X			X	X

D. Prohibited Signs

The following signs shall be prohibited in the City of College Station:

1. Portable and trailer signs, and temporary freestanding signs.

2. Off-premise signs, including billboards, both commercial and non-commercial, except where there has been a resolution adopted by the City of College Station City Council or an executed contract with the City of College Station and the display of the sign:

a. Promotes a positive image of the City of College Station for the attraction of business or tourism;

b. Depicts an accomplishment of an individual or group; or

c. Creates a positive community spirit.

3. Signs painted on rooftops.

4. **Inflated signs, pennants, wind driven devises (excluding flags), tethered balloons, and/or any gas filled objects for advertisement, decoration, or otherwise, except as permitted in Section 7.4.O, Grand Opening Signs and Section 7.4.T, Special Event Signs.**

5. **Vehicle signs except as permitted in Section 7.4.U, Vehicle Signs.**

6. **Flags containing copy or logo, excluding the flags of any country, state, city, or school, are prohibited in residential zones and on any residentially-developed property (except when flags are used as subdivision signs).**

7. **Signs and displays with flashing, blinking, or traveling lights, or erratic or other moving parts, including electronic message boards that change more than once per 24-hour period, either internal or external to the premise, and oriented and visible to vehicular traffic, provided that time and temperature signs are permissible if the maximum area and setback requirements of this Section are met and if the commercial information or content of such signs is restricted to no more than eight square feet.**

8. **Signs containing manual changeable copy or electronic reader boards which are greater than 30 percent of the allowable sign area.**

9. **Any signs that are intended to or designed to resemble traffic signs or signals and bear such words as "stop", "slow", "caution", "danger", "warning", or other words, and that are erected for purposes other than actual traffic control or warning to the public.**

10. **Any sign located within the site triangle in any district as stated in Article 7.1.C, Visibility at Intersections in all Districts. This does not include traffic control or directional signs.**

11. **Any sign that emits sound, odor, or visible matter.**

12. **Commercial banners in all districts, except as permitted in Section 7.4.O, Grand Opening Signs and Section 7.4.T, Special Event Signs.**

E. Exempt Signs

The following signs are exempt from the requirements of this UDO:

1. **Signs that are not easily identified from beyond the boundaries of the lot or parcel on which they are located or from any public thoroughfare or traveled right-of-way, as determined by the Administrator. Such signs are not exempt from the safety regulations contained herein and in City Building and Electrical Codes.**

2. **Official notices posted by government officials in the performance of their duties: government signs controlling traffic, regulating public conduct, identifying streets, or warning of danger. Bulletin boards or identification signs accessory to government buildings or other buildings are subject to the provisions of this UDO.**

3. **Temporary signs erected by private property owners for the purpose of warning of a dangerous defect, condition, or other hazard to the public.**

4. **Non-commercial signs on private property or works of art that in no way identify or advertise a product or business, or by their location and placement impede traffic safety, except as stated in Section 7.5.R. Non-Commercial and Political Signs.**

5. **Temporary decorations or displays, if they are clearly incidental to and are customarily and commonly associated with any national, local, or religious celebration.**

6. **Temporary or permanent signs erected by public utilities or construction companies to warn of the location of pipelines, electrical conduits, or other dangers or conditions in public rights-of-way.**

7. Non-Commercial Signs carried by a person and not set or affixed to the ground, that in no way identify or advertise a product or business, or by their location and placement impede traffic safety.

8. Commercial Signs carried by a person and not set on or affixed to the ground, provided that the sign is temporary, on-premise, and not used by the person on the premises for more than three (3) consecutive days, more than four (4) times per calendar year.

9. Outdoor advertising display signs for sponsors of charitable events held on public properties. These signs may be displayed for the duration of the event or not more than three days with approval of the City Manager; and

10. Flags used as political symbols.

11. Special District Identification Signs, as defined by Article 11.2 Terms, that in no way advertise a product or a business, or by their location and placement impede traffic safety. Special District Identification Signs must be approved by the appropriate Board or Committee.

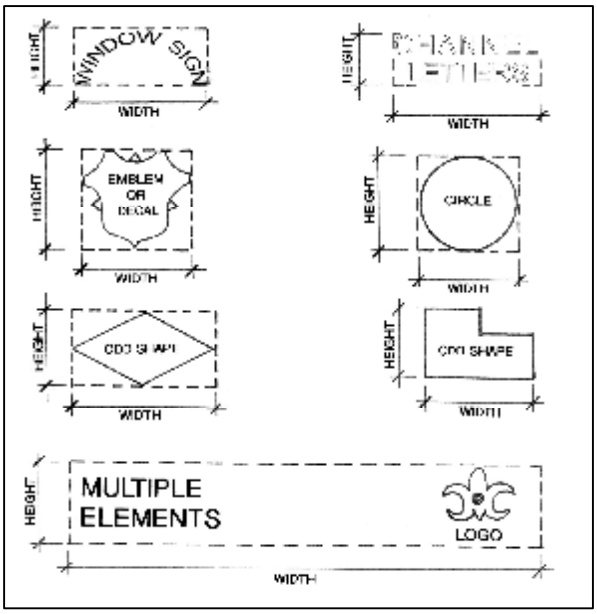
F. Sign Standards

The following table summarizes the sign standards for the City of College Station:

Sign Type	Maximum Area (s.f.)**	Maximum Height (ft.)	Setback from ROW (ft.)	Number Allowed
Apartment/Condominium/Manufactured Home Park Identification Signs	100	10	10	1/frontage
Area Identification Signs	16	4	10	1/10-50 acre subdivision or phase
Attached Signs	Varies, see 7.4.I below	Not to exceed 1 foot from top of wall, marquee, or parapet to which it is attached	---	Any number allowed if within the total allowed square footage of attached signs
Development Signs Residential / Collector Street Arterial Street Freeway (As designated on Thoroughfare Plan)	 35 65 200	15	10	1/premises
Directional Traffic Control Signs	3	4	4	1/curb cut
Freestanding Signs	Varies, see 7.4.M below			1/building plot where lot exceeds 75 feet of frontage
Home Occupation Signs	2	Not to exceed top of wall to which it is attached	---	1/dwelling unit
Low Profile Signs (In lieu of permitted Freestanding Sign)	60	4	10	1/150 feet of frontage *
Real Estate, Finance, and Construction Signs Up to 150-foot frontage Greater than 150-foot frontage	 16 32	 8 8	 10 10	1/frontage (Real Estate) 1/property (Finance) 3/property (Construction)
Roof Signs	Determined by frontage. Same as freestanding Max. 100 s.f.	10 feet above structural roof	---	1/building plot in place of a freestanding sign
Subdivision Signs	150	15	10	1/primary subdivision entrance. Not to exceed 2 signs.

* Except as provided for in Section 7.4.M.10, Freestanding Commercial Signs.

** The area of a sign is the area enclosed by the minimum imaginary rectangle or vertical and horizontal lines that fully contains all extremities (as shown in the illustration below), exclusive of supports.



G. Area Identification and Subdivision Signs

1. **Area Identification Signs shall be permitted upon private property in any zone to identify multiple-lot subdivisions of 10 to 50 acres in size and subject to the requirements set forth in Section 7.4.F, Sign Standards above. Area Identification Signs may also be used within a large subdivision to identify distinct areas within that subdivision, subject to the requirements in Section 7.4.F, Sign Standards above.**

2. **Subdivision Signs shall be permitted upon private property in any zone to identify subdivisions of greater than 50 acres, subject to the requirements set forth in Section 7.4.F, Sign Standards above.**

3. **Both Area Identification and Subdivision Signs must be located on the premises as identified by a preliminary or master preliminary plat of the subdivision. Subdivision Signs will be permitted only at major intersections on the perimeter of the subdivision (intersection of two collector or larger streets). At each intersection either one or two Subdivision Signs may be permitted so long as the total area of the signs does not exceed 150 square feet. Flags may be utilized in place of a Subdivision Identification Sign, but the overall height shall not exceed 20 feet and 25 square feet in area in a residential zone and 35 feet in height and 100 square feet in area in industrial or commercial districts.**

4. **Subdivision markers of no more that one square foot in area and used in conjunction with a subdivision or area identification sign are permitted attached to architectural elements within the subdivision.**

5. **Indirect lighting is permissible but no optical effects, moving parts, or alternating, erratic, or flashing lights shall be permitted. Landscaping valued at 250 points shall be installed around each Subdivision Sign. Adequate arrangements for permanent maintenance of all signs and any landscaping in conjunction with such signs shall be made, which may be through an owners association if one exists or is created for this purpose.**

6. **All signs shall be setback as shown in Section 7.4.F, Sign Standards above except in areas where a Private Improvement in Public Right-of-way permit has been issued.**

H. Apartment/Condominium/Manufactured Home Park Identification Signs

1. **One Apartment/Condominium/Manufactured Home Park Identification Sign may be located at a primary entrance on each frontage to a public road.**

2. **The maximum area allowed for each frontage may be divided among two signs if those signs are single sided and mounted at a single entrance.**

3. **An Apartment/Condominium/Manufactured Home Park Identification Sign may be either an attached sign or a freestanding monument sign. It shall be placed upon the private property of a particular multi-family project in the appropriate zone as established in Section 7.4.C, Summary of Permitted Signs subject to the requirements set forth in Section 7.4.F, Sign Standards above.**

4. **The Apartment/Condominium/Manufactured Home Park Identification Sign shall list the name and may list the facilities available and have leasing or sales information incorporated as a part of the sign.**

5. **An apartment or condominium project must have a minimum of 24 dwelling units to qualify for an identification sign.**

6. **Indirect lighting is permissible, but no optical effects, moving parts, or alternating, erratic, or flashing lights or devices shall be permitted.**

7. **Any manufactured home parks existing at the time of this UDO that are non-conforming may still utilize an identification sign meeting the provisions of this Section and Section 7.4.F, Sign Standards above.**

I. Attached Signs

1. **Attached Signs are commercial signs under this Section.**

2. **Attached Signs on any commercial building or tenant lease space shall not exceed a total of two and a half (2.5) square feet per linear foot of all public entry façades, with a maximum of 500 square feet of attached signage allowed for any one tenant. Multi-story businesses will be allowed 100 square feet of additional attached signage.**

3. **The division of allowable building signage amongst building tenants shall be the sole responsibility of the owner or property manager, and not the City of College Station.**

4. **Signs attached to features such as gasoline pumps, automatic teller machines, mail/package drop boxes, or similar on-site features, if identifiable from the right-of-way, as determined by the Administrator, shall count as part of the allowable sign area of the attached signs for the site. Information contained on such features pertaining to federal and state requirements, and operation/safety instructions are not counted. All other signage on such features shall count towards the allowable attached sign area.**

5. **Architectural elements, which are not part of the sign or logo and in no way identify the specific business tenant, shall not be considered attached signage.**

6. **An attached sign:**

   a. **Shall advertise only the name of, uses of, or goods or services available within the building or tenant lease space to which the sign is attached;**

   b. **Shall be parallel to the face of the building;**

   c. **Shall not be cantilevered away from the structure;**

   d. **Shall not extend more than one foot from any exterior building face, mansard, awning, or canopy;**

e. Shall not obstruct any window, door, stairway, or other opening intended for ingress or for needed ventilation or light; and

f. Shall not be attached to any tree or public utility pole.

J. Development Sign

1. A Development Sign may be placed only on private property subject to the requirements in Section 7.4.F, Sign Standards above.

2. A Development Sign for a building project shall be removed if the project has not received a Building Permit at the end of twelve months. The Administrator may renew the sign permit for one additional twelve-month period upon request. Once a Building Permit for the project is received, the sign may stay in place until 75 percent of the project is leased or a permanent sign is installed, whichever comes first.

3. A Development Sign for a proposed subdivision shall be removed if a Preliminary or Final Plat has not been approved by the end of twelve months. The Administrator may renew the Sign Permit for one additional twelve-month period upon request. Once a plat has been approved, the Sign Permit is valid as long as a Preliminary Plat is in effect, or in the absence of a valid Preliminary Plat, for 24 months from the date of approval of a Final Plat.

K. Directional Traffic Control Sign

1. Directional Traffic Control Signs may be utilized as traffic control devices in off-street parking areas subject to the requirements set forth in Section 7.4.F, Sign Standards above.

2. For multiple lots sharing an access easement to public right-of-way, there shall be only one directional sign located at the curb cut.

3. Logo or copy shall be less than 50% of the sign area.

4. No Directional Traffic Control Sign shall be permitted within or upon the right-of-way of any public street unless its construction, design, and location have been approved by the City Traffic Engineer.

L. Flags

1. One freestanding corporate flag per premise, not to exceed 35 feet in height or 100 square feet in area, is allowed in multi-family, commercial, and industrial districts.

2. Flags used solely for decoration and not containing any copy or logo and located only in multi-family, commercial, and industrial districts or developments are allowed without a permit. In multi-family developments, such flags will be restricted to 16 square feet in area. In all permitted zoning districts such flags will be restricted to 30 feet in height, and the number shall be restricted to no more than 6 flags per building plot.

3. Flags containing commercial copy or logo, excluding the flags of any country, state, city, school, or church are prohibited in residential zones and on any residentially developed property (except when flags are used as Subdivision Signs).

M. Freestanding Commercial Signs

1. Any development with over 75 linear feet of frontage will be allowed one Freestanding Commercial Sign. All Freestanding Commercial Signs shall meet the following standards:

a. Allowable Area

Allowable Area For Freestanding Signs	
Frontage (Feet)	Maximum Area (s.f.)
0-75	Low Profile only
76-100	50
101-150	75
151-200	100
201-250	125
251-300	150
301-350	175
351-400	200
401-450	225
451-500	250
501-550	275
551-600+	300

b. Area

For the purposes of this Section, area shall be considered the area in square feet of a single-face sign, or one side of a double-face sign, or half the sides of a multi-face sign.

c. Frontage

1) For the purposes of this Section, frontage shall be considered the number of feet fronting on a public street to which a sign is oriented.

2) On corner lots, the frontage street shall be the greater street as classified on the thoroughfare plan. Where the two streets are classified the same, the applicant may choose the frontage street.

d. Allowable Height

1) The allowable height of a Freestanding Commercial Sign is determined by measuring the distance from the closest point of the sign to the curb or pavement edge and dividing this distance by two. No Freestanding Commercial Sign shall exceed 35 feet in height.

2) For the purposes of this Section, height of a sign shall be measured from the elevation of the curb or pavement edge.

3) For the purposes of this Section, the distance from curb shall be measured in feet from the back of curb or pavement edge to the nearest part of the sign.

2. Freestanding Commercial Signs are allowed only on developed commercial property established in the appropriate zones as set forth in Section 7.4.C, Summary of Permitted Signs. One freestanding sign shall be allowed in the A-P zone only when the premise has a minimum of two acres, subject to the requirements set forth in Section 7.4.F, Sign Standards. One Low Profile Sign shall be allowed in the A-P zone when the premise has less than two acres subject to the requirements set forth in Section 7.4.F, Sign Standards, above.

3. A premise with less than 75 feet of frontage shall be allowed to use one Low Profile Sign.

4. A premise with more than 75 feet of frontage shall be allowed to use standards for one Freestanding Commercial Sign located in Section 7.4.F, Sign Standards, rather than one Low Profile Sign.

5. A premise with more than 150 feet of frontage shall be allowed to use one Freestanding Commercial Sign or any number of Low Profile Signs as long as there is a minimum separation between signs of 150 feet.

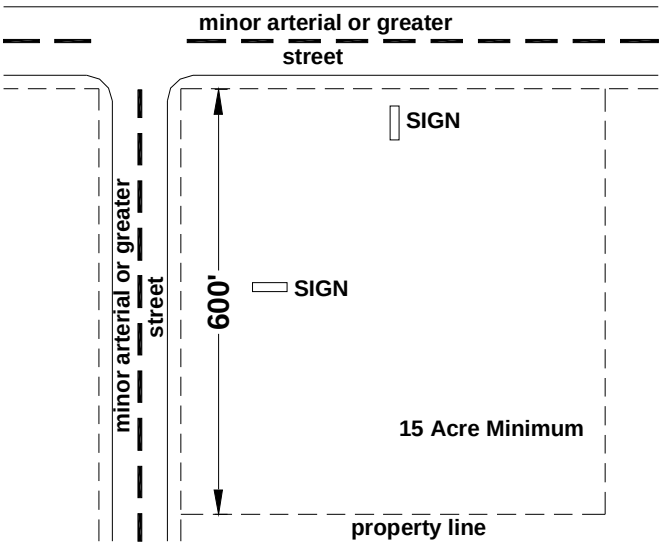
   In lieu of one Low Profile Sign every 150 feet, hospital uses may have one low profile sign located at each driveway.

6. Premises with less than 75 feet of frontage may be combined in order to utilize signage corresponding to the resulting frontage as described in the preceding two paragraphs.

7. No more than one Freestanding Commercial Sign shall be allowed on any premises except when the site meets one of the following sets of criteria:

a. The building plot, as recognized on an approved Plat or Site Plan, must be 25 acres or more in area with at least 1,000 feet of continuous unsubdivided frontage on any major arterial street or higher (as classified on the Thoroughfare Plan) toward which one additional Freestanding Commercial Sign may be displayed (see diagram below); or

b. The Building Plot, as recognized on an approved Plat or Site Plan, must be 15 acres or more in area with at least 600 feet of continuous unsubdivided frontage on any major arterial street or higher (as classified on the Thoroughfare Plan) and the site must have additional frontage on a street classified as a minor arterial or greater on the Thoroughfare Plan, toward which the additional Freestanding Commercial Sign may be displayed.



8. Any sign where two or more panels have separate supports extending to them shall be considered to be more than one Freestanding Commercial Sign, even where only one main support extends to the ground.

9. Sites with limited or no street frontage, due to a proliferation of pad sites, that are not contained within the building plot, as defined by the Administrator, and are fronting along a street classified as a collector or greater on the Thoroughfare Plan, will be allowed the area of the sign to be less than or equal to the square of one-sixth of the distance from the closest portion of the sign to the curb or pavement edge, with the maximum area not to exceed 200 square feet.

10. Any site defined as a single building plot, and containing one or more pad sites, shall be permitted to erect a Freestanding Commercial Sign in accordance with Section 7.4.M, Freestanding Commercial Signs, and to the standards of Section 7.4.M.1.a, Allowable Area, with the maximum area not to exceed 200 square feet. In addition, each pad site will be permitted to erect one Low Profile Sign per pad site according to the restrictions of 7.4.F, Sign Standards.

N. Fuel Price Signs

Facilities with fuel sales will be allowed one additional sign for the purposes of fuel pricing, either freestanding or attached, per premises.

1. The area of the fuel price sign shall not exceed 16 square feet.

2. Fuel pricing may be incorporated into the allowable square footage of a Freestanding Commercial Sign or Attached Sign.

3. This sign shall follow the setback requirements for a Freestanding Commercial Sign and shall not be located within the right-of-way.

O. Grand Opening Signs

1. Flags, commercial banners, and balloons, which advertise a business's grand opening, may be displayed for one consecutive 14-day period, selected by the business owner, within 60 days of the granting of the initial Certificate of Occupancy, a change in the use, or of a change in the name of the business. A permit is required.

2. A Commercial Banner:

   a. Shall advertise only the name of, uses of, or goods or services available within the building, or tenant lease space, to which the sign is attached;

   b. Shall be parallel to the face of the building;

   c. Shall not be cantilevered away from the structure;

   d. Shall not extend more than one foot from any exterior building face, mansard, awning, or canopy;

   e. Shall not obstruct any window, door, stairway, or other opening intended for ingress or for needed ventilation or light; and

   f. Shall not be attached to any tree, fence, or public utility pole.

P. Home Occupation Signs

1. A person having a legal home occupation may have one sign on the building or porch of a residence.

2. The sign may contain only the name and occupation of the resident.

3. It shall be attached directly to the face of the building or porch.

4. It shall not exceed two square feet in area, shall not be illuminated in any way, and shall not project more than 12 inches beyond the building.

5. No display of merchandise or other forms of commercial communication shall be allowed within a residential area, unless same are in existence prior to the adoption of this UDO in connection with a use that is presently a lawful non-conforming use within the district.

6. Such a non-conforming sign may be maintained until the non-conforming use of the building ceases, subject to the requirements for maintenance herein. Discontinuance of the use of such a sign for more than three months shall prevent future use, even if the non-conforming use of the premises is continuous.

Q. Non-Commercial and Political Signs

This Section does not regulate the size, content, or location of non-commercial signs except as follows:

1. No commercial message shall be shown on any non-commercial sign.

2. No non-commercial sign:

   a. May be located within public road right-of-way of the State of Texas;

   b. May be located off the premises of the property owner who is displaying the sign; and

   c. May be located within any sight distance triangle as defined in Section 7.1.C, Visibility at Intersections in All Districts, or where determined by the Administrator as a location that would hinder intersection visibility. This provision is necessary to avoid clutter, proliferation, and dangerous distraction to drivers caused by close proximity of such signs to automobile traffic, to avoid damage to automobiles which may leave the paved surface intentionally or by accident, and to avoid the necessity for pedestrians to step into the roadway to bypass such signs. No regulatory alternative exists to accomplish this police power obligation.

3. In the event that any non-commercial sign is located in a public right-of-way of the State, the City shall remove it.

R. Real Estate/Finance/Construction Signs

1. One Real Estate Sign not exceeding 16 square feet in total area (exclusive of stakes and posts) may be erected at any time while a property is offered for sale or lease to the public. Properties with a minimum of 150 feet of frontage shall be allowed one Real Estate Sign not exceeding 32 square feet in total area. Properties with a minimum of two acres and frontage on two streets shall be allowed one real estate sign on each frontage street with the area of the sign to be determined by the amount of frontage as stated above.

2. One Finance Sign and three Construction Signs (for a total of four signs), not exceeding 16 square feet in total area each (exclusive of stakes and posts) may be erected once a building permit has been issued on a property. Properties with a minimum of ten acres and 1,000 feet of frontage shall be allowed one Finance Sign and three Construction Signs not exceeding 32 square feet in total area each.

3. Real Estate, Finance, and Construction Signs may be either attached or freestanding and only those visible from the street are limited in number.

4. All such signs shall be maintained by the persons in control of the premises so as to remain erect and in good repair. Such signs shall be removed by the property owner or other person in control of the premises if they are damaged, broken, or incapable of remaining erect.

5. Such signs must be removed by the owner or person in control of the premises when either the property has sold or been leased and/or when performance under the construction contract or subcontract (in the case of Construction Signs) has been completed. In all cases, Financing and Construction Signs shall be removed prior to issuance of a Certificate of Occupancy.

S. Roof Signs

1. **Signs mounted to the structural roof shall be regulated as Freestanding Commercial Signs.**

2. **Painted or applied roof signs are prohibited.**

T. Special Event Signs

1. **Signs, including commercial banners and balloons, advertising or announcing a Special Event, as defined in Chapter 4, Section 4.B of the Code of Ordinances, are permitted as a part of the Special Event License and shall be limited to the property holding the event.**

2. **The Special Event Signage is allowed up to 14 days prior to the event and must be removed within 24 hours of the end of the event.**

U. Vehicle Signs

1. **Signs that are displayed on motor vehicles that are being operated or stored in the normal course of a business, such as signs indicating the name or the type of business, excluding all banners, that are located on moving vans, delivery trucks, trailers or other commercial vehicles are permitted; but only if the primary purpose of such vehicles is not for the display of the signs thereon, and only if such vehicles are parked or stored in areas appropriate to their use as commercial or delivery vehicles, such as service areas or locations close to the business building away from public traffic areas.**

2. **Signs or advertisements permanently attached to non-commercial vehicles, excluding all banners, are permitted.**

V. Signs for Conditional Uses

1. **Signs for Conditional Uses shall comply with the regulations for the zoning district in which the Conditional Use is permitted.**

2. **Signs for Conditional Uses in residential or agricultural zoning districts shall comply with Section 7.4.F Sign Standards, "Low Profile Signs."**

W. Signs for Permitted Non-residential uses in Residential or Agricultural Districts

Signs for non-residential permitted uses in residential or agricultural zoning districts shall comply with Section 7.4.F Sign Standards, "Low Profile Signs."

X. Abandoned, Damaged, or Unsafe Signs

1. **The provisions of this Section shall apply when in conflict with the provisions of the Building Code; but where the provisions of both ordinances are consistent, the enforcement of either shall be permissible and remedies or penalties cumulative.**

2. **Non-conforming signs that have become deteriorated or damaged to an extent that the cost of the reconstruction or restoration of such signs is in excess of 50 percent of its replacement value exclusive of foundations, will be required to be removed or brought into full compliance with the current sign regulations.**

3. **All abandoned signs and their supports shall be removed within 60 days from the date of abandonment. All damaged signs shall be repaired or removed within 60 days. The Administrator shall have authority to grant a 30-day time extension where he determines there is a reasonable necessity for same.**

4. **Discontinuance of use or removal of any non-conforming sign or any sign in connection with a non-conforming use shall create a presumption of intent to abandon said sign. A non-**

conforming sign that is damaged and not repaired within 60 days shall be presumed to be abandoned.

Y. Signs in the Extraterritorial Jurisdiction

All off-premise and portable signs shall be prohibited within the Extraterritorial Jurisdiction of the City of College Station.

7.5 Landscaping and Tree Protection

A. Purpose and Intent

The purpose and intent of this Section is to regulate the manner in which land in the City is used and developed, to minimize adverse effects on surrounding property owners or the general public, and ensure that high quality development is maintained throughout the community.

For the purpose of landscaping, College Station, Texas falls within Zone 8 of the USDA Hardiness Zone Map. Dwarf plants will not be allowed in required screening or buffer areas.

B. Application of Section

The landscaping requirements of this Section apply to all land located in the City of College Station proposed for site development with the exception of those zoned NG-1, NG-2, and NG-3. The requirements also do not apply to single-family, duplex, or townhouse uses, except as follows:

1. **The requirements of this Section have limited application to properties developed for duplexes, as follows:**
   a. **A minimum of 200 points of landscaping as calculated in this Section shall be provided for each new duplex unit.**
   b. **Where parking is provided in the front yard, an eight-foot landscaped setback shall be required between the property line and the nearest side of the parking pad. This eight-foot setback area must be landscaped and contain a three-foot high screen consisting of a continuous berm, hedge, or wall. In addition, an eight-foot landscaped setback shall be required between the dwelling unit and the nearest side of the parking pad.**
   c. **The maintenance and completion requirements of this Section also apply to duplex uses. Every development must employ an irrigation system. All new plantings must be irrigated. An irrigation system shall be designed so that it does not negatively impact existing trees and natural areas. Soaker hose and drip irrigation system designs may be permitted as the Administrator deems appropriate. All plantings must be in accordance with the College Station Plant List, or as deemed appropriate by the USDA for Zone 8 in their Hardiness Zone Map. The plant list is approved and amended as needed by the Administrator.**
2. **The landscaping requirements of this Section shall apply to manufactured home parks, but not to individual manufactured homes on separate lots.**
3. **All landscaping/streetscaping requirements under this Section shall run with the land once the development has begun and shall apply against any owner or subsequent owner.**
4. **The landscaping requirements of this Section apply to all unsubdivided property, improved subdivided lots other than single-family, duplex, or townhouse lots, and to other improved lands where buildings or structures are being added or replaced within the City.**
5. **Each phase of a multi-phase project shall comply with this Section.**
6. **All plantings must be in accordance with the College Station Plant List, or as deemed appropriate by the USDA for Zone 8 in their Hardiness Zone Map. The plant list is approved and amended as needed by the Administrator.**

C. Landscaping Requirements

1. **The landscaping requirements shall be determined on a point basis by the following:**

a. Landscape Points required: 30 points per 1,000 square feet of site area;

b. The minimum number of points for any development is 800 points;

c. Undeveloped floodplains may be removed from site size calculations; however, existing trees within that floodplain shall not be claimed for points; and

d. Projects may be phased with the phase lines being drawn 20 feet beyond any new site amenity. The portion left for subsequent phases shall be of developable size and quality.

2. Point values will be awarded for any type of canopy tree, non-canopy tree, or shrub, provided that the species claimed for point credit are not listed on the Non-Point Tree List as prepared by the Administrator. All caliper measurements shall be 12 inches above grade.

a. Landscaping points are accrued as follows:

Plant Material Point Values		
Plant Material	Points Accrued (per Plant)	Installed Size Caliper (Inches)
New Plantings		
Canopy Tree	75	1.5 to 2
	150	2.1 to 3.4
	300	3.5 and larger
Non-canopy Tree	40	1.25 and larger
Shrubs	10	Min. 5 gallon*
Existing Trees with no Barricade Protection Area		
Canopy Tree	40	4 to 14.5
Non-canopy Tree	35	2 and larger
Existing Trees Within Barricade Protection Area		
Canopy Tree	300	Between 4 and 8
	400	8 and larger
Non-canopy Tree	150	Between 2 and 4
	200	4 and larger

* Shrubs not used for screening may be a minimum of 1 gallon in size and accrue 1 point per plant.

b. To receive landscape points for existing trees, all existing trees must be in good form and condition and reasonably free of damage by insects and/or disease.

c. To receive barricaded points for existing trees, they must be barricaded one foot per caliper inch. A barricade detail must be provided on the landscape plan. Barricades must be in place prior to any activity on the property including, but not limited to, grading. If in any event the required barricades are not in place prior to any activity and maintained during construction, barricaded points will be forfeited.

3. One hundred percent coverage of groundcover, decorative paving, decorative rock, or a perennial grass is required in parking lot islands, swales and drainage areas, and the parking lot setback unless otherwise landscaped or existing plants are preserved. One hundred percent coverage of groundcover or perennial grass is also required in all unpaved portions of street or highway right-of-way or on adjacent property that has been disturbed during construction. If grass is to be used for groundcover, 100% live grass groundcover is required whether by solid sod overlay or pre-planting and successful takeover of grasses. No point value shall be awarded for ground cover.

4. Every project must expend a minimum of 50% of its point total on canopy trees.

5. For existing plantings, the Administrator may require a health appraisal.

6. All new plantings must be irrigated. An irrigation system shall be designed so that it does not

negatively impact existing trees and natural areas. Soaker hose and drip irrigation system designs may be permitted as the Administrator deems appropriate.

7. Additional Point Credits

a. A 10 percent point credit will be awarded where the irrigation system employed is a recognized water-conserving system.

b. A 10 percent point credit will be awarded if 25 percent or more of parking area consists of enhanced paving.

c. A 10 percent point credit will be awarded for every one percent of site area devoted to special facilities including water features, public art, or other public features determined by the Administrator.

8. All landscape materials shall be installed in accordance with the current planting procedures established by the most recent addition of *The American Standard for Nursery Stock*, as published by the American Association of Nurserymen.

9. Landscaping must be reasonably dispersed throughout all visible areas of the site.

D. Streetscape Requirements

1. The streetscaping requirements shall be determined along all major arterials, freeways, and expressways by the following:

a. Within 50 feet of the property line along the street, one canopy tree for every 25 linear feet of frontage shall be installed. Two non-canopy trees may be substituted for each one canopy tree.

b. Canopy and non-canopy trees must be selected from the College Station Streetscape Plant List and may be grouped as desired.

c. One existing tree (minimum four-inch caliper) may be substituted for a new tree. Existing trees must be of acceptable health, as determined by the Administrator.

2. The streetscaping requirements shall be determined along all other roadways by the following:

a. Within 50 feet of the property line along the street, one canopy tree for every 32 feet of frontage shall be installed. Two non-canopy trees may be substituted for one canopy tree.

b. Canopy and non-canopy trees must be selected from the Administrator's Streetscape Plant List and may be grouped as desired.

c. One existing tree (minimum four-inch caliper) may be substituted for a new tree. Existing trees must be of acceptable health, as determined by the Administrator.

3. Three hundred additional landscape points shall be required for every 50 linear feet of frontage on a right-of-way. Driveway openings, visibility triangles, and other traffic control areas may be subtracted from total frontage. The additional landscape points can be dispersed throughout the site.

4. Driveways and areas located within a required visibility triangle shall be excluded from the streetscape requirements in paragraphs 1, 2, and 3 above.

5. Parking areas adjacent to a right-of-way shall be screened from the right-of-way. Screening is required along 100 percent of the street frontage (such as 10 shrubs for every 30 linear feet of frontage), with the exception of areas within the visibility triangle. Screening may be accomplished using plantings, berms, structural elements, or combinations thereof, and must be a minimum of three feet above the parking lot pavement elevation. Walls and planting strips shall be located at least two feet from any parking area. Where the street and the adjacent site are at different elevations, the Administrator may alter the height of the screening to ensure adequate screening. Fifty percent of all shrubs used for screening shall be evergreen.

6. **Dumpsters, concrete retaining walls where more than six vertical inches of untreated concrete are visible, off-street loading areas, utility connections, and any other site characteristics that could be considered visually offensive must be adequately screened.**

E. **Landscape/Streetscape Plan Requirements**

When a Landscape/Streetscape Plan is required, the landscape/streetscape plan shall contain the following:

1. **The location of existing property lines and dimensions of the tract.**

2. **A north arrow and scale.**

3. **Topographic information and final grading adequate to identify and properly specify planting for areas needing slope protection.**

4. **Location and dimensions of existing and proposed structures, parking lots and drives, sidewalks, refuse disposal areas, fences, and other features as determined necessary by the Administrator.**

5. **Location, size, spread, type, and quantity of all proposed landscaping and screening materials, along with common and botanical names.**

6. **The location of existing and proposed utilities and all easements on or adjacent to the lot.**

7. **An indication of adjacent land uses, existing development and roadways.**

8. **An irrigation system plan or a general note indicating that an irrigation system to service all new plantings will be installed by a certified installer before a certificate of occupancy will be issued.**

9. **Landscape information**

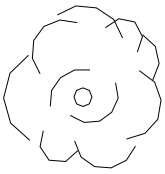
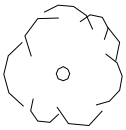
   a. **Landscape points required for site and calculations shown in the landscape legend;**

   b. **A legend showing the size, type (canopy, non-canopy, shrub) and points claimed for proposed landscaping; and**

   c. **Location of landscape plants on plan identified by a symbol defined in a landscape legend (see sample legend below).**

City of College Station

SAMPLE LEGEND
LANDSCAPING POINT CALCULATIONS

SYMBOL	SIZE	NAME & TYPE	QUANTITY	POINT VALUE	POINT
	8" AND LARGER EXISTING W/BARRICADE	LIVE OAK TREE (Quercus Virginiana) Canopy tree	2	300	600
	4" TO 8" EXISTING W/BARRICADE	LIVE OAK TREE (Quercus Virginiana) Canopy tree	13	200	2600
	2" TO 14.5" CALIPER EXISTING W/O BARRICADE	LIVE OAK TREE (Quercus Virginiana) Canopy tree	8	35	280
	1.25" CALIPER AND LARGER	TREE CREPE MYRTLE (Lagerstroemia indica) Non-canopy tree	6 (NEW)	40	240
	5 GAL	WAX LEAF LIGUSTRUM (Ligustrum texanum) Shrub	46 (NEW)	10	460

NOTE: Symbols are for reference. Any symbols used must be distinguishable at any scale

BARRICADE FOR INDICATED TREES TO BE CONSTRUCTED WITH 48" HIGH ORANGE PLASTIC CONSTRUCTION NETTING AND SECURED TO STEEL T-POSTS. BARRICADE TO BE PLACED IN A CIRCLE AROUND INDICATED TREES A RADIAL DISTANCE OF 1' FOR EVERY 1" CALIPER OF TREE. BARRICADE MUST BE IN PLACE PRIOR TO ANY DEVELOPMENT ACTIVITY AS WELL AS THROUGHOUT THE CONSTRUCTION PROCESS.

STREETSCAPE:
(136.57' / 50) x 300 PTS = 820 PTS
(136.57' / 25) = 6 CANOPY TREES
POINTS PER PROJECT AREA:
26,416.3 SQUARE FEET OF SITE AREA
26,416.3 / 1,000 = 26.42
26.42 x 30 = 792.6 = 793 POINTS

TOTAL POINTS REQUIRED: 1,613 **TOTAL POINTS PROPOSED: 4,180**

10. Streetscape Information

a. Streetscape points required for site and calculations shown;

b. A table showing the scientific and common plant names, size, type (canopy, non-canopy, and shrub), and points claimed for proposed streetscaping; and

c. Location of streetscape plants on plan identified by a symbol defined in a landscape legend (see sample legend above).

11. The location and diameter of protected existing trees claimed for either landscape or streetscape requirements, and an indication of how the applicant plans to barricade the existing trees from damage during construction. Barricading shall be subject to the following requirements:

    a. Prior to land development or redevelopment, or any construction thereof, the developer shall clearly mark all qualifying and significant trees to be preserved;

    b. The developer shall erect a fence around each tree or group of trees to prohibit the placement of debris or fill, or the parking of vehicles within the drip line of any qualifying or significant tree;

    c. During construction, the developer shall prohibit the cleaning of equipment or materials within the drip line of any tree or group of trees that are protected and required to remain. The developer shall not allow to dispose of any waste material such as, but not limited to, paint, oil, solvents, asphalt, concrete, mortar, or other harmful liquids or materials within the drip line of any tree or groups of trees that are required to remain;

    d. No attachments or wires of any kind shall be attached to any tree, except those used to stabilize or protect such tree;

    e. With grade changes in excess of six inches, a retaining wall or tree well of rock or brick shall be constructed around the tree not closer than one-half the distance between the trunk and the drip line. The mid-point of the retaining wall shall be constructed at the new grade. Grade changes greater than one inch may not be made without the prior approval of the Administrator; and,

    f. All vegetation must be planted in accordance with the visibility triangle referenced in Section 7.1.C, Visibility at Intersections in all Districts.

F. Maintenance and Changes

1. Landscaping/Streetscaping shall be maintained and preserved in accordance with the approved Landscape/Streetscape Plan. Replacement of landscaping/streetscaping must occur within 45 days of notification by the Administrator. Replacement material must be of similar character and the same or higher point total as the dead or removed landscaping. Failure to replace dead or removed landscaping, as required by the Administrator, shall constitute a violation of this Section of the UDO for which the penalty provision may be invoked.

2. Landscaping/Streetscaping Changes to Existing Sites

    a. If changes constituting 25 percent or more of the number of canopy and non-canopy trees are proposed, a revised Landscape/Streetscape Plan must be submitted for approval and is required to comply with this Section. Planting must occur pursuant to this approved landscape/streetscape plan within 45 days.

    b. Revised Landscape/Streetscape Plans shall meet the requirements of the ordinance in effect at the time of the revised Landscape/ Streetscape Plan submittal.

    c. The replacement of existing canopy and non-canopy trees must be replaced caliper for caliper, or as determined by the Administrator.

G. Completion and Extension

The Administrator shall review all landscaping for completion in compliance with this Section and the approved Landscape/Streetscape Plan. Landscaping/ streetscaping shall be completed in compliance with the approved plan before a Certificate of Occupancy will be issued. However, the applicant may receive an extension of four months from the date of the Certificate of Occupancy upon the approval of an application for extension with a bond or letter of credit in the amount of 150 percent of the landscape/streetscape bid, as well as the irrigation required for the project. Failure to complete the landscaping/ streetscaping according to the approved Landscape/Streetscape Plan at the expiration of the bond or letter of credit shall constitute forfeiting the bond or cashing of the letter of credit. Also, failure to complete the approved landscaping/streetscaping shall constitute a violation of this UDO.

H. Review and Approval

Landscape/Streetscape Plans shall be reviewed and approved by the Administrator.

I. Parking, Storage, or Display

No parking, storage, or display of vehicles or merchandise shall be allowed in the required landscape/streetscape areas or on required parking islands.

J. Alternative Compliance Permitted

Variations to the requirements of this Section may be approved if the landscape/streetscape plan is sealed by a registered landscape architect and approved by the Administrator. Such plans must show reasonable evidence that the requirements as set forth in this Section were used as a guide.

7.6 Buffer Requirements

A. Purpose

The purpose of buffer requirements, which generally include a buffer yard, plantings, and a fence or wall, is to provide a visual barrier between different zoning districts and to help mitigate any negative impacts of adjacent land uses on developed or developing properties. A buffer should visibly separate one use from another and shield or block noise, glares, or other nuisances.

B. Applicability

1. **Perimeter buffers shall be provided on building plots abutting developed (platted) or developing (in the process of platting) sites in accordance with the standards of this Section, as outlined in Section 7.6.F, Minimum Buffer Standards. The following shall provide buffers:**
   - a. **Vacant sites that develop;**
   - b. **Existing sites when additions, expansions, and/or redevelopments equal or are greater than 25% of the existing improvements;**
   - c. **Existing sites when cumulative additions, expansions, and/or redevelopments total 25% or more of the existing improvements;**
   - d. **Existing sites when a change of use intensifies the development in terms of elements such as traffic, processes, noise, water or air pollution, etc.;**
   - e. **Existing sites with lawfully established non-conforming uses when the use is expanded; and**
   - f. **Sexually-oriented businesses.**
2. **Exceptions to the terms of this Section will be made when:**
   - a. **The adjacent developed use is non-conforming;**
   - b. **The adjacent developed use is agricultural;**
   - c. **The Land Use Plan designates the area as Redevelopment;**
   - d. **The property is zoned P-MUD and the buffer requirement was determined through the rezoning process; or**
   - e. **Properties in NG and RDD districts.**

C. Relationship To Other Landscaping Standards

All buffer requirements shall be included on a development's Landscaping Plan. Landscaping provided to meet the buffer landscaping standards of this Section may not be counted towards meeting a project's landscape point requirements. The area of a site dedicated to a perimeter buffer shall not be included in calculating a site's minimum landscaping point requirements.

D. Location

The buffer shall abut property boundaries shared with less intense uses or zoning districts as shown in Section 7.6.F, Minimum Buffer Standards. In the event that a property abuts a less

intense use and a less intense zoning district, the more stringent buffer shall be required along the shared boundary.

E. Permitted Uses

1. A buffer yard may be used for passive recreation or stormwater management. It may contain pedestrian, bike, or equestrian trails provided that:

a. No plant material is eliminated;

b. The total width of the buffer yard is maintained; and

c. All other regulations of this Section are met.

2. No active recreation area, storage of materials, parking, driveways, or structures, except for approved pedestrian, bike or equestrian trails and necessary utility boxes and equipment, shall be located within the buffer yard.

3. Pedestrian access through a perimeter fence or wall and buffer yard may be provided at the abutting resident's, homeowners association's, or the Administrator's option to provide convenient pedestrian access to nonresidential uses such as commercial areas or schools.

F. Minimum Buffer Standards

The buffer requirements are designed to permit and encourage flexibility in the widths of buffer yards, the number of plants required in the buffer yard, and opaque screens. Standard buffer requirements are depicted in the table below.

DEVELOPING USE (Classification)	ABUTTING PARCEL (Use more restrictive of the zoning or the developed use.)		
	Single-family Residential=	Multi-Family ResidentialO	Non-Residential
Single-family=	N/A	N/A	N/A
Multi-FamilyO	10 (1)	N/A	N/A
Office	10 (1)	N/A	N/A
Commercial	15 (2)	10 (1)	N/A
Industrial	25 (2)	15 (2)	5
SOB	50 (2)	50 (2)	50 (2)

O Includes duplexes.
= Includes manufactured homes, mobile homes, manufactured home parks, and townhouses.
[number] Depth of buffer yard
(1) Fence
(2) Wall

1. Buffer Yards

a. Buffer yards shall be measured from the common property line and may be located within established building setbacks.

b. Where utility or drainage easements or other similar situations exists in the required buffer yard, the buffer yard may be reduced by the width of the easement; however, an additional 5 feet may be required beyond the width of the easement in these situations to allow for the required plantings and fence or wall. All new plantings and irrigation shall be located outside of the easement. The Administrator has the discretion to allow a required fence or wall within the easement.

2. Plantings

a. If a fence or wall is not required per the table above, the following plantings shall be installed in the buffer yard:

1) A minimum of one 5-gallon shrub at a minimum of three feet in height per three linear feet of landscaping buffer.

2) A minimum of one 2-inch caliper canopy tree per 25 linear feet of landscape buffer.

b. If a fence or wall is required per the table above, the following plantings shall be installed in the buffer yard:

1) A minimum of one 1.25-inch caliper non-canopy tree per 15 linear feet of landscaping buffer. The Administrator may allow the substitution of a minimum of one 5-gallon shrub at a minimum of three feet in height per three linear feet of landscaping buffer for the non-canopy tree requirement, or may require the substitution to mitigate potential negative impacts of a development.

2) A minimum of one 2-inch caliper canopy tree per 25 linear feet of landscape buffer.

c. All buffer yard landscaping areas not dedicated to trees or shrubs shall be landscaped with grass, ground cover, or other appropriate landscape treatment in accordance with Section 7.5.C.3, Landscaping and Tree Protection.

d. Fifty percent of all required shrubs within the buffer yard shall be evergreen.

e. Plant materials shall show a variety of texture, color, shape, and other characteristics. Recommended buffer materials can be found in the College Station Plant List or in those listed as appropriate for Zone 8 on the USDA Hardiness Zone Map.

f. The arrangement of trees and shrubs in the buffer area shall be done in a manner that provides a visual separation between abutting land uses. Shrubs shall be massed in rows or groups to achieve the maximum screening effect.

g. Irrigation is required for all new plantings.

h. Existing vegetation may count toward the planting requirement if:

1) The vegetation is in good health and the landscaping plan verifies that it will meet the plantings criteria listed above (non-point trees may count towards a natural buffer); and

2) The vegetation is protected in accordance with Section 7.5.C.2.c, Landscaping and Tree Protection, of this UDO.

i. Plantings will not be allowed to encroach into a required visibility triangle for a public or private right-of-way except as provided for in Section 7.1.C, Visibility at all Intersections in All Districts.

3. Fences and walls

a. Fences may be solid wood or solid wood accented by masonry, stone, EFIS (Exterior Finish Insulation System), or concrete columns. Walls may be masonry, stone, EFIS, concrete, or a combination of these materials, and shall be finished on both sides (framing not visible). Walls and masonry columns for fences must meet the footing standards prescribed by the Building Code for such structures.

b. Fences and walls shall be a minimum of six feet in height and a maximum of eight feet. Walls over six feet must obtain a building permit. When the adjacent property and the buffer yard are at different elevations, the Administrator may require a greater fence or wall height to ensure adequate buffering.

c. Fences and walls shall be placed within one foot of the common boundary line when physically possible. In the event that there is a physical constraint that will not allow the construction of a fence on the common boundary line (including, but not limited to, the existence of a creek, access easement, or existing vegetation), the Administrator may authorize an alternative fence location.

d. Fences or walls will not be allowed to encroach into a required visibility triangle for a public or private right-of-way.

4. **Substitutions**

a. **Existing natural vegetation may be used in lieu of plantings and a fence or wall under the following circumstances:**

1) **The existing vegetation consists of canopy and non-canopy trees which are shown through a tree survey to meet the minimum buffer planting requirements (non-point trees may be considered) and is of sufficient density to provide 100 percent opacity to a height of six feet; and**

2) **The vegetation is protected in accordance with Section 7.5.C.2.c, Landscaping and Tree Protection, of this UDO.**

b. **Fences and walls may be substituted with a solid plant or hedge wall that is greater than six feet in height with approximately 100 percent opacity. All shrubs planted for a hedge wall must be a minimum of 15 gallons each. The solid plant or hedge wall must be evergreen and may not be counted towards meeting the buffer planting requirement.**

c. **Fences and walls may be substituted with a landscaped earthen berm if the combination of berm and landscaping is not less than six feet in height from the elevation at the property line with approximately 100% opacity. The berm plantings must be evergreen and may not be counted towards meeting the buffer planting requirement. Berms must be a minimum of four feet in height with a maximum slope of 3:1. Berms in excess of six feet in height shall have a maximum slope of 4:1 as measured from the exterior property line.**

d. **The required height of fences or walls may be reduced if used in combination with an earthen berm or a landscaped earthen berm if the height of the screening is six feet from the elevation at the property line with approximately 100 percent opacity. The berm plantings must be evergreen and may not be counted towards meeting the buffer planting requirement.**

e. **Walls may be substituted with fences if the required buffer yard area and plantings are doubled.**

f. **Walls and fences may be omitted if the required buffer yard area and plantings are tripled.**

G. **Maintenance and Replacement**

1. **Upon installation or protection of required landscape materials, appropriate measures shall be taken to ensure their continued health and maintenance. Required landscape areas and buffers shall be free of garbage and trash, weeds, pests, and disease. Required plant materials that do not remain healthy shall be replaced consistently with these provisions.**

2. **All landscaping materials and/or fences, walls, or berms shall be maintained by the owner(s) of the property that was required to install such landscaping materials and/or fences, walls, or berms under this Section.**

3. **Any canopy tree removed or otherwise destroyed by the willful act or negligence of the property owner, tenant, or contractor shall be replaced by a tree of the same or larger caliper.**

H. **Appeals**

1. **Appeals of the terms of this Section, with the exception of Section G, Maintenance and Replacement, shall be to the Design Review Board (DRB).**

2. **An appeal shall be made within 30 days of the date of the notification of the decision by filing with the Administrator a notice of appeal specifying the grounds thereof.**

3. **The DRB may authorize on appeal alternative buffer standards for a specific property or a waiver to the Buffer Requirements of this Section when such standards or variance will not be contrary to the public interest where, owing to unique and special conditions not normally found in like areas, a strict enforcement of the provisions of the ordinance by the Administrator would result in unnecessary hardship, and so that the spirit of this Section shall be observed and substantial justice done.**

7.7 Solid Waste

A. Purpose

It is the purpose of this Section to establish the guidelines for the provision of solid waste collection in all developments within the City of College Station where curb service will not take place, in order to:

1. **Provide for the safe and efficient collection and removal of waste from commercial and residential developments; and**

2. **Reduce nuisances associated with waste collection containers.**

B. Responsibility

The City shall make the final determination as to the appropriate collection system; however, it is the responsibility of the developer to ascertain the appropriateness of the proposed collection system. Staff will endeavor to accommodate applicants to the extent equipment, efficiency, and policy allow.

C. Minimum Requirements

In all cases, the following requirements shall be held as minimum:

1. **All dumpsters shall be screened. Screening shall be at least as tall as the dumpster(s) and may be achieved through the use of buildings, fences, or walls. Plant materials may be used to supplement required screening.**

2. **Multi-family developments shall provide the required pad and screening for one eight-yard dumpster per sixteen dwelling units.**

3. **Single-family developments with a lot width of less than 50', not served by approved, accessible alleys, shall provide the required pad and screening for one eight-yard dumpster per sixteen (16) dwelling units.**

4. **The interior clearance (inside the screen) dimensions for a single 300-gallon container enclosure shall be ten feet deep by ten feet wide (10' x 10').**

5. **The interior clearance (inside the screen) dimensions for a single (one eight-yard) dumpster enclosure shall be twelve feet deep by twelve feet wide (12' x 12').**

6. **The interior clearance (inside the screen) dimensions for a double (two eight-yard) dumpster enclosure shall be twelve feet deep by twenty-four feet (12' x 24') wide.**

7. **Bollards and other such devices shall not be set within the minimum width dimensions noted above.**

8. **All required containers and dumpsters pads shall be constructed of six inches (6") of steel-reinforced concrete.**

9. **All required containers and dumpsters shall be screened by means of an approved six-foot (6') high opaque device on a minimum of three sides. Depending on visibility to pedestrian and vehicular traffic, a gate may be required. Materials may be dictated by the terms of a Conditional Use Permit (CUP) or the Design Review Board (DRB).**

10. **The ingress, egress, and approach to all dumpster pads shall conform to the fire lane requirements.**

7.8 Drainage and Stormwater Management

This Section is reserved. Any reference to this Section shall apply to Chapter 13 of the Code of Ordinances, Flood Hazard Protection.

7.9 Non-Residential Architectural Standards

A. Applicability

The design standards of this Section shall apply to non-residential buildings located in any zoning district with the exception of the M-1, M-2, R&D, NG-1, NG-2, and NG-3 districts. All buildings shall be subject to the following standards. This applies to single tenant buildings, multiple tenant buildings, and any grouping of attached or stand alone buildings and associated out parcels.

Exemptions:

- **Churches**

B. Required Screening

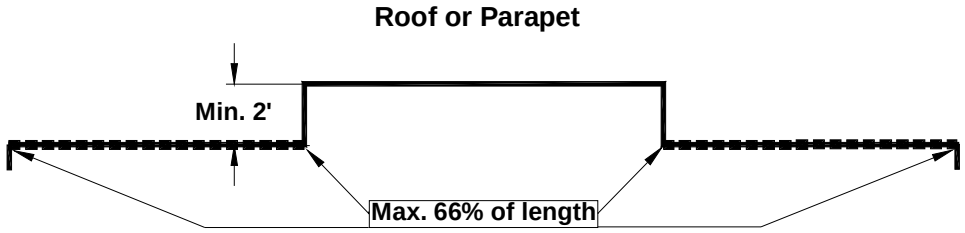
All mechanical equipment shall be screened from view or isolated so as not to be visible from any public right-of-way or residential district within 150 feet of the perimeter boundary of the subject lot or tract, measured from a point five (5') feet above grade. Such screening shall be coordinated with the building architecture, materials, colors and scale to maintain a unified appearance. Acceptable methods of screening are: encasement, parapet walls, partition screens, brick/stone/masonry walls or fences.

Detention ponds shall be screened using berms, shrubs, brick/stone/masonry walls or a combination of these to achieve a 3-foot high screen above the visible perimeter of the pond's finished grade.

No screening is required for retention ponds designed to also serve as year round water features.

C. Building Mass and Design

The geometric plane of the front or main building(s) façade on the first two (2) stories shall use architectural relief every forty-five (45') feet to provide visual interest by incorporating a minimum of two (2) design elements from the following options: canopies, wall plane projections or recessions with a minimum of four (4') depth, vertical expression of structural bays, pilasters, columns, bay windows, balconies that extend from the building, recessed entries, stoops, porches, arcades, boxed or bay windows, permanent decorative awnings, and or windows accompanied by overhangs. Along all other façades visible from a right-of-way, there shall be some architectural relief or wall recession or projection every sixty (60') feet as described herein.



As represented above, on buildings three (3) stories or less, the horizontal line of a flat roof (or parapet) along the front or main building(s) façade shall vary by a minimum of two feet (2') feet up or down so that no more than sixty-six (66%) percent of the roofline is on the same elevation.

D. Building Materials

All buildings developed as a building plot shall have materials and colors that are similar and complement each other architecturally. This applies to all out-parcel buildings, regardless of their use. All exterior façades of an out-parcel building will be considered primary façades. All buildings shall employ architectural, site, and landscaping design elements that are integrated with and common to those used on the main/primary buildings or structures on site. These common design elements shall include building materials associated with the main/primary structure. In the event that an out-parcel or non-primary building(s) is developed before the primary/main building(s), then all other buildings, with the exception of stand alone restaurants, shall have materials and colors that are similar and complement each other architecturally to the building constructed first.

1. When determining area herein, windows and doors are included.

The following applies only to the first two (2) stories of all buildings. All building façades that are visible from a right-of-way shall consist of a minimum of one or more of the following building materials:

a. fired brick

b. natural stone

c. marble

d. granite

e. tile

f. Any concrete product so long as it has an integrated color and is textured or patterned (not aggregate material) or covered with brick, stone, marble, granite or tile or material fabricated to simulate brick, stone, marble or granite.

All other materials are prohibited unless authorized herein or by the Design Review Board (DRB).

2. Stucco, EIFS (Exterior Insulation and Finish Systems), hardboard, concrete products as described above, reflective glass, certain metal products described in this section below, and cedar siding are allowed on visible unscreened façades subject to the following limitations:

a. Stucco, EIFS, concrete products as described above, hard board, or any material equivalent in appearance and quality as determined by the DRB, shall not cover more than seventy-five percent (75%) of the overall façade.

b. Wood or cedar siding shall not cover more than thirty percent (30%) of any façade.

c. Smooth face, tinted concrete blocks shall only be used as an accent and shall not cover more than ten percent (10%) of any façade.

d. Buildings less than 5,000 S.F. may use one hundred percent (100%) EIFS, Stucco, hardboard, or concrete products as described above, but only if it is painted or tinted with a minimum of two (2) colors to avoid monotony.

e. Reflective glass shall not cover greater than eighty percent (80%) of the front façade and may be used 100% on any other facade.

f. Stainless steel, chrome, standing seam metal and premium grade architectural metal may be used as an architectural accent and shall not cover greater than twenty percent (20%) of any façade.

g. Painted steel panel siding and galvanized steel is allowed on the rear façade of buildings when the façade is not visible from a right-of way, parkland, or greenway; provided however, if these materials are used, then the façade must be screened from adjacent properties. This screening shall be installed regardless of adjacent property zoning or use and in no way shall this Section diminish the requirements for Buffering required in

Section 7.6 Plantings, fences, or walls which meet the specifications established in Sections 7.6F2 or 7.6F3 with substitutions allowed as provided for in Section 7.6F4 are permitted screening materials and methods. Use of these alternative building materials shall count toward the required percentages of materials as described herein.

h. Galvanized steel and painted steel are allowed on doors, including roll-up doors.

3. Single buildings or combination of buildings of 20,000 S.F. or greater shall have a minimum of twenty-five percent (25%) (calculation shall be based on the area of the first two stories of the front or main building(s) façade) brick, stone, marble or granite or a material fabricated to simulate brick or stone (not split face concrete masonry) on the front or main façade(s). All facades visible from the street shall have only brick, stone, marble, granite, tinted split face masonry blocks or tile below thirty (30") inches from the ground surface.

4. Metal, standing seam metal, architectural metal or steel may be used as a roof and or canopy/awnings with no limitation on percentage.

5. Metal or hardboard may be used as a structural material as long as it is not visible.

E. Building Colors

All building façades and roofs shall consist of only colors from the color palette approved by the City Council as amended by the DRB and maintained in the Office of the Administrator. All other colors shall be considered accent colors and may be used on no more than fifteen percent (15%) of the façade on which the accent color is applied; neon, metallic (except copper and silver metallic colored roofs) and fluorescent colors are prohibited on any façade or roof. When applying brick, colors normally found in manufactured fired brick are permitted. All colors of natural stone are permitted. Building and roof color requirements apply to all new buildings, redeveloped buildings, and façade work. Color samples shall be submitted for approval to the Office of the Administrator. Existing buildings may continue to utilize colors that are not from the approved color palette provided that repainting is done for maintenance purposes only and the existing color is continued. Any color change on existing buildings shall be brought into compliance with this ordinance and color samples shall be submitted as provided herein.

F. Pedestrian / Bike Circulation & Facilities

1. Each building shall provide a facility capable of storing a minimum of four (4) bicycles.

2. Facilities shall be separated from motor vehicle parking to protect both bicycles and vehicles from accidental damage and shall be sufficiently separated from building or other walls, landscaping, or other features to allow for ease and encouragement of use. This separation shall be a minimum of three (3') feet. Bicycles may be permitted on sidewalks or other paved surfaces provided that the bicycles do not block or interfere with pedestrian or vehicular traffic.

3. Bicycle facilities shall be constructed so as to enable the user to secure a bicycle by locking the frame and one wheel of each bicycle parked therein. Facilities must be easily usable with both U-locks and cable locks and support the bicycle frame at two points. Facilities shall be anchored securely to the ground or building.

G. Traffic Impact Analysis

This section establishes requirements and procedures pertaining to traffic impact analysis (TIA) for non-residential developments. These requirements are intended to inform the applicant of the City's expectations, expedite the City staff's review process of TIA reports, provide standard criteria for evaluating development proposals, and establish equitable mitigation and cost sharing policies.

The TIA is intended to develop public/private partnerships to coordinate land use and transportation facility development. Both the City of College Station and the land developer share in the responsibility to consider all reasonable solutions to identified transportation problems.

1. Purpose

This process is done simultaneously with the submittal of a site plan. The goal of this study is to look at a specific development of known size and use and to determine the effect of that use on the existing roadway system. It uses existing traffic volumes and assumes the existing

roadway configuration to be used for analysis. This process should ensure that the roadway system is adequate to accommodate the proposed use and may recommend mitigation measures necessary to ensure efficient traffic flow around the proposed site (as based on intersection and roadway levels of service).

2. Objective

A TIA is intended to define the immediate impacts of the proposed development and any necessary transportation improvements (public or private) required to ensure a satisfactory level of service on all affected thoroughfares. A TIA is designed to mitigate traffic impacts by optimizing roadway capacity, access design, and traffic control. A TIA may not be used to deny development permitted by zoning, nor shall it be used to modify road design contrary to the Comprehensive Plan. Specific improvements to the existing roadways consistent with the Thoroughfare Plan may be needed to gain approval of site plan proposals.

3. Definitions

***Trip Generation Rates* - The City's criteria for trip generation for various categories of land use and density shall be those set forth in the latest edition of the trip generation informational report published by the Institute of Transportation Engineers (ITE) unless the proposed use does not have a corresponding rate in the Trip Generation Manual. Alternate trip generation rates shall not be accepted but shall instead be adopted for City-wide use on the basis of a general study of local conditions.**

***Design Year* - The design year is the point in time upon which assumptions pertaining to land use, population, employment, and transportation facilities are based. All TIAs shall use a design year based on the expected date of project occupancy.**

***Base Volumes* - Base volumes shall be based on current traffic counts adjusted to the expected date of project occupancy. When available, all base data shall be supplied by the City Traffic Engineer. In all cases when ground counts are needed and are not available, the developer or his agent shall be required to collect such data.**

***Level of Service (LOS)* - Level of service is a measure of the level of congestion experienced on roadways. The desirable minimum level of service of the City of College Station is Level of Service D in the peak hour. Level of service shall be measured of both link and intersection operations.**

4. Applicability

A TIA will be required for non-residential site plans submitted for approval that generate 5,000 trips or more per day. A TIA may be required for non-residential site plans submitted for approval that generate less that 5,000 trips per day, where the peaking characteristics could have a detrimental impact on the transportation system as determined by the Administrator or his designee.

All TIAs shall be performed by a consultant qualified to perform such studies. Requirements for mitigating negative traffic impacts shall apply to all cases. In certain cases, due to project phasing, a TIA might be required with a concept plan submittal.

It is the responsibility of the applicant to demonstrate that a TIA is not required for a non-residential site plan application, as defined in Section 3.5. In cases where a TIA is required, the site plan application will be considered incomplete until the TIA is submitted.

5. Methodology

A pre-submission consultation with the Administrator or his designee is required. Details of the required analysis and the study area will be determined at this meeting. In certain instances, traffic from other approved but not built developments may have to be accounted for in traffic assignments. Staff may also require specific assumptions such as percent trucks be altered to match local conditions. Peak hour analysis might be directed to reflect the peak 15 minutes for

certain types of land uses. All of these types of issues will be addressed at the pre-submission consultation.

The following procedures shall be followed in preparing traffic impact studies submitted to the City:

6. Content

a. Study Area - A map(s) shall be included delineating the TIA study area and all existing and planned streets therein. The study area will be defined in the pre-submission consultation meeting with the Administrator or his designee.

b. Existing Zoning and Development - Describe existing zoning including land area (gross and net) by zoning classification, square footages, numbers of hotel rooms, dwelling units, etc. Also, describe any existing development on-site and how it will be affected by development proposals.

c. Thoroughfare Network - Describe existing thoroughfares, signals and signal phasing, and traffic volumes within the study area.

d. Proposed Development - Describe the proposed development including land area (gross and net), square footage, number of hotel rooms, dwelling units, etc. Also describe roadway conditions as expected by date of occupancy. Indicate roadway and intersection capacities at study date.

e. Impact Determination - Determine the level of service for all thoroughfares and intersections in the study area. The analysis shall contain the following minimum information:

1) Proposed Trip Generation - Calculate total trip generation by use (assuming full development and occupancy) and report any reductions for passer-by, mixed use, etc. Show trip generation by use in tabular form with land use trip generation rates and trips generated.

2) Trip Distribution and Assignment - Trips generated by the proposed development are to be added to the base volumes projected for the design year. Peak hour volumes must be calculated. Distribution assumptions and assignment calculations must be provided.

3) Level of Service Analysis - Show in tabular form, 24 hour and peak hour V/C ratios for links and intersections within the study area. This analysis should be done for the following traffic conditions: existing traffic, background traffic, background plus project traffic. Analyze all points of ingress and egress, median breaks, and turn lanes associated with the proposed site.

4) Conclusions - Provide a summary of points of conflict and congestion. Identify all thoroughfare links or intersections exceeding a Level of Service D and the percent increase in total traffic produced by the proposed site plan. Identify any operational problems (e.g., drives, median openings, and signalization) within the study area.

f. Mitigation - Traffic levels exceeding Level of Service D, where the development is contributing 5% or more of the total trips shall be mitigated to predevelopment levels. Problems demonstrated by the TIA can be corrected by:

1) Access Management requirements in addition to those provided in Article 7.3 and the City of College Station Engineering Design Guidelines relating to driveway and median opening spacing.

2) Modifying density or intensity of use (e.g., reduction in square footage or percentage of commercial use).

3) Phasing construction until additional roadway capacity becomes available.

4) On-site improvements including access controls and site circulation adjustments.

5) Off-site improvements including the construction of additional lanes where the surrounding thoroughfares are not fully developed or intersection improvements, including signalization, where the surrounding area is approaching full development.

g. Costs of Mitigation - Mitigation improvements which are attributable to the proposed development shall be funded at the developer's expense. Any other improvements shown which are consistent with the Thoroughfare Plan may be repaid by the City in accordance with its cost sharing policies.

H. Parking Lots

These requirements are in addition to and not in lieu of the requirements established in Section 7.2. Off Street Parking Standards.

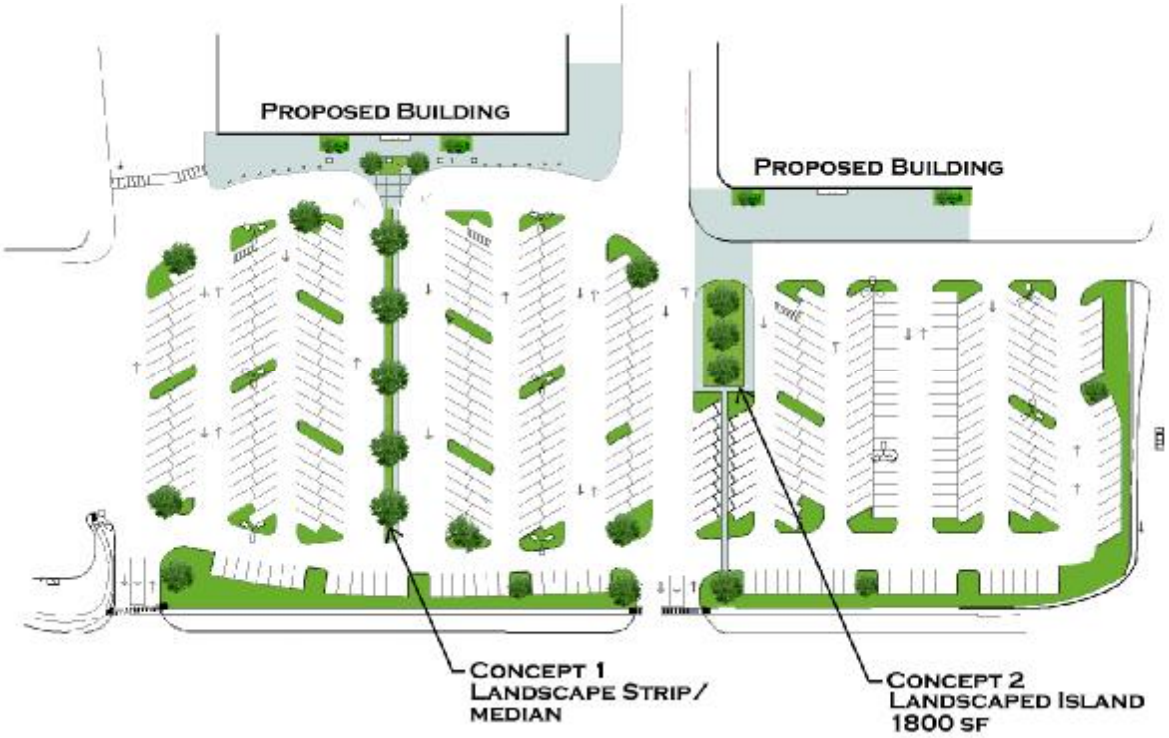
1. Where parking is located in the front of the building there shall be a minimum ten foot (10') setback from the right-of-way line to the parking area. This additional setback requirement shall not apply if the proposed building(s) resides in an existing overlay district.

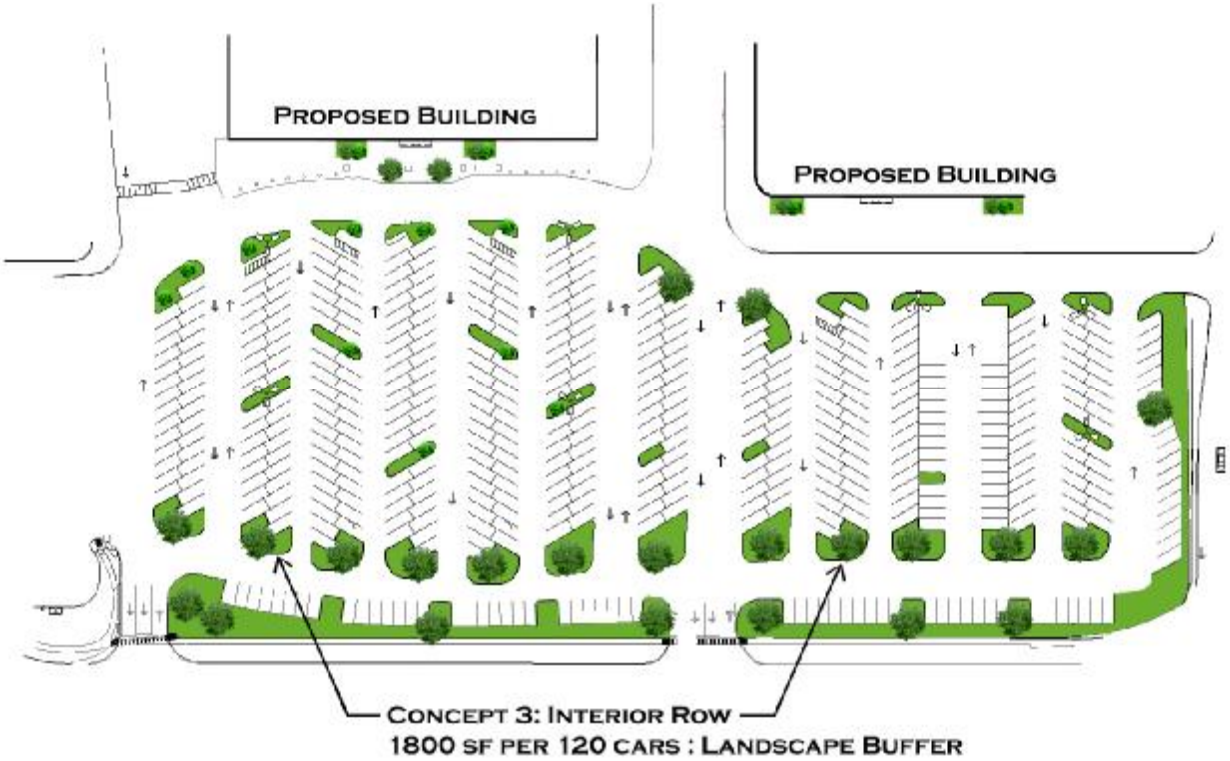
2. In order to break up the parking lot area and minimize visual impact, one of the following parking concepts is required on any parking lot with greater than one hundred twenty (120) parking spaces. Parking concepts shall be approved by the Administrator provided that it meets one of the following minimum criteria. Pedestrian ways are allowed within the below-described areas.

a. Concept 1 - Every one hundred twenty (120) parking spaces shall be a separate and distinct parking area connected by driving lanes but separated by landscaping strips a minimum of eight (8') feet wide and the full length of the parking row. Where pedestrian facilities are located within landscape strips or where vehicles would overhang these strips, the strip shall be a minimum of ten (10') feet wide; or,

b. Concept 2 - For every one hundred and twenty (120) parking spaces, an 1800 square foot landscaped island shall be installed (Landscape Pods). Such island(s) shall be located internal to the parking lot and shall be located so as to visually break up each one hundred twenty (120) parking spaces. The landscaping square footage calculation for parking lots greater than one hundred twenty (120) parking spaces shall be pro-rated at fifteen (15) square feet of landscaping per parking space; or,

c. Concept 3 - For every one hundred twenty (120) parking spaces, an additional 1,800 square feet of landscaped area shall be added/distributed to the interior row(s) end island(s) located closest to the right-of-way line (i.e. in conjunction with the minimum setback creating a double row of landscaping) but in no event shall the additional landscaped area be located farther than one hundred feet (100') from the right-of-way frontage. The landscaping square footage calculation for parking lots greater than one hundred twenty (120) parking spaces shall be pro-rated at fifteen (15) square feet of landscaping per parking space.





3. Interior island area requirements, as required in Section 7.2, may be consolidated into end islands, landscape strips, and landscape pods.

4. **Shopping cart storage spaces shall be identified on the site plan. These spaces shall not be located in landscape islands or any areas designed for plantings or pedestrian or bike access.**

I. **Additional Standards for 50,000 S.F. or greater**

In addition to the standards set out in this Section 7.9, the following shall apply to any single building or combinations of buildings of 50,000 S.F. or greater, whether connected or not, but developed as one building plot.

1. **Building Mass and Design**

Façade articulation (wall plane projections or recessions) is required on the first two (2) stories of the front or main building(s) façade. No more than thirty-three percent (33%) of the front or main building(s) façade shall be on the same continuous geometric plane. Restaurant out-parcels are excluded from this articulation requirement but are required to provide architectural relief as provided herein. Wall plane projections or recessions shall have a minimum depth of four (4) feet.

2. **Building Colors**

Accent colors may be used on no greater than ten percent (10%) of the façade on which the accent color is applied.

3. **Landscaping**

These requirements are in addition to and not in lieu of the requirements established in Section 7.5 Landscaping and Tree Protection.

a. **The minimum required landscape points for a site shall be double (2 x minimum landscape points) of that required for developments of less than 50,000 S.F. The minimum allowable tree size is two (2”) inch caliper. Streetscape point requirements remain the same and shall count toward the landscape point requirement.**

b. **Tree wells are required along fifteen percent (15%) of the linear front of the main building(s) façade. Each tree well shall include canopy trees. This landscaping shall count toward the overall landscape requirement.**

c. **All landscaping strips, islands, pods, and areas used to segregate the one hundred twenty (120) space parking areas as provided for above under "Parking Lots" must include canopy trees or structural shading. This requirement shall not apply to auto sales lots.**

d. **The substitution of two (2) non-canopy trees for one (1) canopy tree is not allowed for more than fifty percent (50%) of the overall canopy tree requirement. Massing of trees is allowed.**

4. **Pedestrian / Bike Circulation & Facilities**

a. **There shall be designated connections among primary buildings and out-parcels for pedestrian and bicycle traffic. Locations for sidewalks and bicycle parking facilities shall be provided and shown on the site plan. Pedestrian walkways may be incorporated into the landscape strips separating parking areas only if the strip is ten (10’) feet in width.**

b. **In centers with multiple tenants, one or more facilities capable of storing eight (8) bicycles shall be placed in clearly designated, safe, and convenient locations, such that no tenant entrance is farther than one hundred fifty feet (150’) from a bike facility.**

c. **Pedestrian walkways shall be a minimum of five (5’) feet wide. Pedestrian walkways shall connect public street sidewalks, transit stops, parking areas and other buildings in a design that ensures safe pedestrian use.**

d. **There shall be a ten (10’) foot sidewalk along the full frontage of the primary building façade. Tree wells and planter boxes shall be placed along this walkway and in a manner that does not obstruct pedestrian movement. Bike parking facilities are allowed in this area. Vehicular parking or cart storage is prohibited. Outside display is allowed but only if it does not occupy more than thirty percent (30%) of this area and meets the requirements of Section 7.11.B.**

J. Additional Standards for 150,000 S.F. or greater

In addition to the above standards, the following shall apply to any single building or combinations of buildings of 150,000 S.F. or greater, whether connected or not but developed as one building plot.

1. Each development shall contain a plaza or public space(s) developed as an integral part of the development and not less than two hundred (200) square feet in area. Such areas shall incorporate a minimum of three (3) of the following:

- **§ Seating components***
- **§ Structural or vegetative shading***
- **§ Water features***
- **§ Decorative landscape planters***
- **§ Public Art***
- **§ Outdoor eating accommodations**
- **§ Hardscape elements at entrances and within the parking area such as decorative pavers, low masonry walls, public art, clock towers, etc.**

***These public areas may be located within the parking landscape areas.**

2. The minimum allowable tree size is two and one half (2.5") inches caliper.

3. Accent colors may be used on no more than five percent (5%) of the façade on which the accent color is applied.

K. Variances - Design Review Board (DRB)

The DRB may grant a variance from the standards contained in Section 7.9 of up to 75% of the total percentage permitted for the following:

1. Substitutions of building materials if the applicant shows that:

- **a. The building material is a new or innovative material manufactured that has not been previously available to the market or the material is not listed as an allowed or prohibited material herein; and**
- **b. The material is similar and comparable in quality and appearance to the materials allowed in this Section 7.9; and**
- **c. No variance shall be granted to requirements for brick or stone on buildings twenty thousand (20,000) square feet or greater; and**
- **d. Financial hardship shall not constitute a basis for the variance; and**
- **e. The material is an integral part of a themed building (example 50's diner in chrome).**

2. Alternate colors or materials on each façade if the applicant shows that:

- **a. The applicant is a franchised and/or chain restaurant to be developed as a single detached building (not integrated into a multi-tenant building); and**
- **b. The proposed colors/materials are part of its corporate branding; and**
- **c. The applicant provides <u>all</u> of the alternative color/materials schemes the chain or franchise has used.**

3. Alternative materials on façade work that does not involve an expansion of an existing building as defined in Section 9 of the UDO or constitute redevelopment if the applicant shows that:

- **a. The materials allowed in Section 7.9 cannot be utilized without a structural alteration(s) to the existing building; and**
- **b. A licensed professional engineer or architect verifies in writing that a structural alteration is required to apply the permitted façade materials to the building.**

c. The DRB may grant a variance of up to 100% from the façade articulation or roofline standards herein if the applicant shows that it is not financially or structurally feasible.

4. Screening must be provided in accordance with Section 7.9B. Alternatives to the options listed in Section 7.9B may be considered.

5. Alternatives to the options listed in Section 7.9C may be considered for approval provided that the alternative incorporates a minimum of two (2) architectural relief elements with spacing as required under Section 7.9C.

6. The DRB may approve the following alternative parking lot concept as follows:

a. The area of a landscaped plaza may be credited toward the area(s) required for parking lot landscape concepts in Section 7.9H3b provided that each of the following conditions are met:

1) A minimum of three out-parcel buildings must be clustered around a plaza; and

2) The area of the plaza and associated landscaping/water features/fountains shall be no less than 1800 square feet for every one hundred twenty (120) parking spaces; and

3) The clustered buildings may not be physically separated by parking spaces.

The area of the landscaped plaza shall only count toward parking spaces located directly behind the clustered buildings and plaza. The point of orientation for determining what is "behind" the clustered buildings and plaza shall be from the adjacent street with the highest rating on the Thoroughfare Plan. All other parking spaces shall meet requirements established in 7.9H3b for minimizing visual impact of parking spaces.

The landscaping square footage calculation for parking lots greater than one hundred twenty (120) parking spaces shall be pro-rated at fifteen (15) square feet of landscaping per parking space.

ALTERNATIVE PARKING LOT CONCEPT

7. Alternate colors on a façade if the applicant shows that:

a. The applicant is a franchised and/or a chain business to be developed as a single detached building (not integrated into a multi-tenant building); and

b. The proposed colors are part of its corporate branding; and

c. The applicant provides all of the alternative color schemes the chain or franchise has used.

7.10 Outdoor Lighting Standards

It is recognized that no design can eliminate all ambient light from being reflected or otherwise being visible from any given development; however, the following requirements shall be followed to the fullest extent possible in order to limit nuisances associated with lighting and resulting glare.

All lighting within developments other than single-family residential and duplexes shall meet the requirements of this Section.

A. Site Lighting Design Requirements

1. Fixture (luminaire): The light source shall not project below an opaque housing. No fixture shall directly project light horizontally.

2. Light Source (lamp): Only incandescent, florescent, metal halide, mercury vapor, or color corrected high-pressure sodium may be used. The same type must be used for the same or similar types of lighting on any one site throughout any master-planned development.

3. Mounting: Fixtures shall be mounted in such a manner that the projected cone of light does not cross any property line.

B. Specific Lighting Requirements

1. Façade and flagpole lighting must be directed only toward the façade or flag and shall not interfere with the night-visibility on nearby thoroughfares or shine directly at any adjacent residential use.

2. All lighting fixtures incorporated into non-enclosed structures (i.e., gas pump canopies, car washes, etc.) shall be fully recessed into the underside of such structures.

7.11 Outdoor Storage and Display

A. General

Outdoor storage and display is allowed in nonresidential districts in accordance with this Section. Any merchandise, material, or equipment situated outdoors and visible from the public right-of-way or adjacent properties shall be subject to the requirements of this Section. No outdoor storage or display shall be allowed to occur in required parking areas. For the purpose of this Section, outdoor storage, display, and sales shall be broken down into four types, as follows.

B. Categories of Outdoor Storage and Display

1. Outdoor Display

Outdoor display is display of items actively for sale. Outdoor display shall be allowed adjacent to a principal building wall and extending to a distance no greater than five feet from the wall. Such storage shall not be permitted to block windows, entrances, or exits, and shall not impair the ability of pedestrians to use the building or sidewalk.

2. Permanent Outdoor Sales Areas

Merchandise may be stored or displayed for sale to customers in areas contiguous to the principle building. Permanent outdoor sales areas shall be enclosed by a minimum six-foot screen or wall. Such areas shall not exceed 1,000 square feet or 10 percent of the total site area, whichever is greater. Permanent outdoor sales areas must comply with district setback requirements. Such areas may not interfere with parking and parking lot requirements. Permanent areas open to the public for the display and/or sale of merchandise shall be shown on a site plan and will be included in parking requirement calculations.

3. **Temporary Outdoor Sales and Storage**

Temporary Outdoor Sales Areas, including sales tents, may be displayed for a two-week period in a calendar year. Such areas shall be clearly defined and shall not interfere with parking lot requirements. Christmas trees may be displayed for sale from November 15 to December 31.

4. **General Outdoor Storage**

Outdoor storage consists of all remaining forms of outdoor storage not classified above. Outdoor storage visible to the public right-of-way or adjacent properties is allowed so long as it is completely screened from view outside the site by a solid wall or fence at least six feet but not more than eight feet in height. Except for developments in the M-2 district, outdoor storage shall not exceed the height of required screening. Outdoor storage shall not be allowed within a required front setback.

C. **Exceptions**

1. **Vehicles for sale as part of a properly permitted vehicle sales use (including boats and manufactured housing) shall not be considered merchandise, material, or equipment subject to the restrictions of this Section. Such vehicles shall be located and displayed on a paved area that meets parking lot pavement standards and shall be screened under the same requirements for a parking lot.**

2. **Waste generated on-site and deposited in ordinary refuse containers shall not be considered outdoor display or storage.**

D. **Location of Outdoor Storage and Display**

Unless specifically authorized elsewhere in the City's Code of Ordinances, all outdoor storage, display, and sales shall be located outside the public right-of-way and must adhere to the required district setbacks.

APPENDIX VII

Article 11. Definitions

11.1 General

A. For the purpose of this UDO certain words shall be interpreted as follows:

1. Words in the present tense include the future tense.

2. Words used in the singular number include the plural, and words used in the plural number include the singular, unless the natural construction of the wording indicates otherwise.

3. The word "person" includes a firm, association, corporation, trust, and company, as well as an individual.

4. The word “structure" shall include the word "building."

5. The word "lot" shall include the words, "plot," "parcel," or "tract."

6. The words "will" and "shall" are always mandatory and not merely directory.

B. Words not specifically defined in Section 11.2 shall take their common dictionary meaning, except as modified by use as terms of art in planning or engineering.

11.2 Defined Terms

For the purpose of this UDO, certain words as used herein are defined as follows:

Accessory Use or Structure, or Building:

(1) A building, structure, or use which is subordinate to and serves a primary use or principal structure;

(2) A building, structure, or use which is subordinate in area, extent, or purpose to the primary use served;

(3) A building, structure, or use which contributes to the comfort, convenience, or necessity of occupants of the primary use served;

(4) A building, structure, or use which is located within the same zoning district as the primary use; and

(5) A building, structure, or use which in residential districts is not used for commercial purposes other than legitimate home occupations, and is not rented to other than bona fide servants employed on the premises and members of the family of the occupant(s) of the principal structure.

Examples of accessory buildings, structures, or uses include, but are not limited to, private garages, greenhouses, living quarters for family or servants, tool sheds, radio or television antennae, or bathhouses. Persons are related within the meaning of this section if they are related within the second degree of consanguinity or affinity.

Administrator: The Development Services Director, or his designee, shall serve as the Administrator.

Adult Arcade: Any business enterprise that offers or maintains one or more adult video viewing booths.

Adult Cabaret: Any business enterprise which regularly features or offers to the public, customers, or members, performances by persons who appear nude or semi-nude, or live performances that are characterized by their emphasis on the exposure, depiction or description of specified anatomical areas, or the conduct or simulation of specified sexual activities.

Adult Motel: A hotel, motel, or similar commercial establishment which:

(1) **Offers accommodations to the public for any form of consideration; provides patrons with closed-circuit television transmissions, films, motion pictures, video cassettes, slides, or other photographic reproductions which are distinguished or characterized by an emphasis on matter depicting, describing or relating to "specified sexual activities" or "specified anatomical areas;" or**

(2) **Offers a sleeping room for rent for a period of time that is less than 10 hours; or**

(3) **Allows a tenant or occupant of a sleeping room to sub-rent room for a period of time that is less than 10 hours.**

Adult Movie Theater: Any business enterprise which regularly features or offers to the public the presentation of motion picture films, movies, or sound recordings which are characterized by their emphasis on the description or depiction of specified anatomical areas or specified sexual activities and which are presented to a common audience of more than five persons in an enclosed common area or are presented in a common area of more than 150 square feet.

Adult Retail Store: A business enterprise which meets any of the following tests:

(1) **Offers for sale or rental items from any two of the following categories:**

(a) **sexually-oriented materials;**

(b) **lingerie; or**

(c) **leather goods which are marketed or presented in a context to suggest their use in connection with specified sexual activities;**

(2) **Offers for sale sexually-oriented toys and novelties, except a business enterprise which devotes less than ten percent of its stock in trade and sales and display area to sexually-oriented materials, with all sexually-oriented toys and novelties separated from other sales and display areas by an opaque wall at least eight feet in height with a management-controlled system of access to ensure that only persons over the age of 18 years are allowed to enter the area;**

(3) **Devotes more than ten percent of its stock in trade or sales and display area to sexually-oriented materials without having all sexually-oriented materials separated from other sales and display areas by an opaque wall at least eight feet (8') in height with a management-controlled system of access to ensure that only persons over the age of 18 years are allowed to enter the area;**

(4) **Devotes more than 40 percent of its stock in trade or sales and display area to sexually-oriented materials; or**

(5) **Advertises or holds itself out in signage visible from the public right-of-way as "X...," "adult," "sex," or otherwise as a sexually-oriented business.**

Adult Retail Store, Limited: Any business enterprise which offers for sale or rental sexually-oriented materials, and which devotes at least ten percent and not more than forty percent of its stock in trade or sales and display area to sexually-oriented materials, provided that:

(1) **The following items are not also offered for sale:**

(a) **lingerie; or**

(b) **leather goods which are marketed or presented in a context to suggest their use in connection with specified sexual activities;**

(1) **All sexually-oriented materials are separated from other sales and display areas by an opaque wall at least eight feet in height with a management-controlled system of access to ensure that only persons over the age of 18 years are allowed to enter the area; and**

(1) **The business enterprise does not advertise or hold itself out in signage visible from the public right-of-way as "X...," "adult," "sex" or otherwise as a sexually-oriented business.**

Adult Theater: A theater, concert hall, auditorium, or similar commercial establishment which regularly features persons who appear in a state of nudity, or live performances which are distinguished or characterized by an emphasis on "specified sexual activities" or "specified anatomical areas."

Adult Video Viewing Booth: Coin or slug-operated, or electronically or mechanically controlled, still or motion-picture machines, projectors or other image-producing devices which present to five or fewer persons per machine at any one time visual or audio material of any kind which is characterized by its emphasis on the description or depiction of specified anatomical areas or specified sexual activities. No part of this definition shall be construed to permit more than one person to occupy an adult video viewing booth at any time.

Alternative Mounting Structure: Any building or structure, other than a tower, which can be used for the location of telecommunication antennas and facilities. Antennas located on these structures may include Attached WTFs or Stealth Antenna.

Animal Care Facilities: A place where animals are boarded and/or bred, including, but not limited to, stables and kennels.

Antenna: Any system of poles, panels, rods, reflecting discs, or similar devices used for the transmission or reception of radio frequency signals.

(1) Omni-Directional Antenna ("Whip" Antenna) - transmits and receives radio frequency signals in a 360 degree radial pattern.

(2) The Directional Antenna ("Panel" Antenna) - transmits and receives radio frequency signals in a specific directional pattern of less than 360 degrees.

(3) The Parabolic antenna ("dish" antenna) - is a bowl-shaped device for the reception and/or transmission of radio frequency signals in a specific directional pattern.

Apartment Building: See "Multi-family Dwelling".

Appeal: An appeal is a request for a review of the Administrator, or other administrative official's interpretation, of any provisions of this UDO or a request for a variance.

Applicant: An individual seeking an action, a permit, or other approval under the provisions of this UDO.

Area of Special Flood Hazard: The land adjacent to a clearly defined channel within a community subject to a one percent or greater chance of flooding in any given year. The area may be designated as Zone A on the Flood Hazard Boundary Map (FHBM). After detailed ratemaking has been completed in preparation for publication of the Flood Insurance Rate Map (FIRM), Zone A usually is refined into Zones A, AE, AH, AO, Al-99, VO, V1-30, VE, or V.

Art Studio or Gallery: Where objects of art are created or displayed for the public enrichment or where said objects of art are displayed for sale (including, but not limited to, the teaching of photography, painting, sculpturing, and other similar skills) as the primary use of the structure.

Arterial, Major/Minor: See "Street, Arterial."

Attached Wireless Telecommunication Facility: A wireless telecommunication facility that is affixed on an existing structure that is not primarily used for the support or attachment of a wireless telecommunication facility and is not a normal component of such a facility.

Automobile Repair and Service: See "Vehicle Repair and Service Shop."

Automobile Sales and Rental: See "Vehicle Sales and Rental."

Barricade Area For Existing Trees: An area extending in a radius of one foot per caliper inch of tree diameter from the protected tree that prevents intrusion by construction equipment, vehicles, and people, but allows only hand clearing of underbrush.

Base Flood: The flood having a one percent chance of being equaled or exceeded in any given year ("The 100-Year Flood").

Bed and Breakfast Inn: A residential structure where two or fewer rooms are rented to transient paying guests on an overnight basis with no more than one meal served daily, where no cooking facilities are provided in the rooms and where the total number of permanent and transient occupants does not exceed four at any one time.

Board of Adjustment: The Zoning Board of Adjustment of the City of College Station.

Boarding House: See "Rooming/Boarding House."

Body Rub Parlor: Any business enterprise where body rub services are provided in order to induce relaxation or for other purposes.

Building: A "building" is any structure having a roof supported by columns or walls and built for the support, shelter or enclosure of persons, chattel or movable property of any kind and which is affixed to the land.

Building Coverage: Building coverage refers to the area of a lot covered by buildings (principal and accessory) or roofed areas, as measured along the outside wall at ground level, and including all projections, other than open porches, fire escapes, canopies, and the first two feet of a roof overhang.

Building Official: The designated "Building Official" of the City of College Station, or his designated representative.

Building Plot or Premises: All of the land within a project, whether one or more lots, developed according to a common plan or design for similar or compatible uses, that may have shared access or parking, and that singularly or in phases is treated as such for site plan review purposes. The determination of the boundaries of a building plot shall be made as the first step in the site plan or project review, unless such

determination has previously been made at the time of plat approval. For development not subject to site plan review, the building plot or premises shall be the exterior boundary of any included lots, in the event that the structure sits astride two or more lots. In the event that two or more lots are under single ownership and the structure does not meet the required side yard setback, both lots shall be considered the building plot or premises.

Bulk Storage Tank: A container for the storing of chemicals, petroleum products, grains, and other materials for subsequent resale to distributors or retail dealers or outlets.

Business Development Corporation: Shall mean the College Station Business Development Corporation, Inc.. This corporation is the non-profit corporation created by the City to promote, assist, and enhance economic development in the City of College Station.

Caliper: This shall mean the width of the trunk of a tree and shall be measured at twelve inches above grade.

Canopy Tree: See "Tree, Canopy".

Carport: A structure which has enclosing walls for less than 50% of its perimeter covered with a roof and constructed specifically for the storage of one or more motor vehicles.

Car Wash: A place containing facilities for washing automobiles which may include the automatic or semiautomatic application of cleaner, brushes, rinse water, and heat for drying.

Certificate of Compliance: A letter signed by the Development Engineer indicating compliance with all plans and specifications applicable to the subject project and completion of all stormwater management and soil erosion protection measures.

Chief of Police: The Chief of Police of the City of College Station.

Church or Place of Religious Worship: A building in which persons regularly assemble to worship, intended primarily for purposes connected with faith or for propagating a particular form of religious belief.

City: The City of College Station, Texas.

City Attorney: The "City Attorney" of the City of College Station.

City Manager: The "City Manager" of the City of College Station.

Classification Amendment: An amending zoning ordinance which pertains to the rezoning of a particular parcel or parcels of land, as distinguished from a change in the provisions of the ordinance relevant and pertaining to the entire city.

Clinic: An institution, public or private, or a station for the examination and treatment of out-patients by a group of doctors, dentists, opticians, veterinarians, psychologists, or other similar medical professionals. In general, a clinic shall not exceed 20,000 square feet in size, and larger clinics shall be considered to be hospitals.

Cold Storage Plant: A commercial establishment where foods or other commodities are stored either in lockers, rented or leased, or in vaults in bulk for distribution to the home or other commercial businesses. No slaughtering of animals or fowl is allowed on the premises.

Collocation: When more than one wireless telecommunications provider shares a wireless telecommunications support structure.

Commercial Greenhouse: A structure or location where plants, vegetable, flowers, and similar materials are grown for sale.

Commercial Amusements: Any enterprise whose main purpose is to provide the general public with an amusing or entertaining activity, where tickets are sold or fees collected at the gates of the activity. Commercial amusements include zoos, carnivals, expositions, miniature golf courses, arcades, fairs, exhibitions, athletic contests, rodeos, tent shows, ferris wheels, children's rides, roller coasters, skating rinks, ice rinks, traveling shows, bowling alleys, indoor shooting ranges, and similar enterprises. Sexually-oriented Businesses and Nightclubs are excluded from this definition.

Commission: The Planning and Zoning Commission of the City of College Station, Texas.

Common Open Space: A parcel or parcels of land or an area of water, or a combination of land and water within a development site provided and made legally available for the use and enjoyment of residents of a proposed project.

Common Property: A parcel or parcels of land, together with the improvements thereon, the use and enjoyment of which are legally shared by the owners and occupants of the individual building sites in a Planned Unit.

Community Services: See "Public Uses."

Concept Plan: A written and graphic plan submitted for consideration of a Planned Development District or a Planned Mixed-Use District that indicates in a conceptual form, the proposed land uses and their overall impact on the subject land and surrounding lands.

Conditional Use: A use which may be permitted or denied in a district, on a case-by-case basis, subject to meeting certain conditions or procedures set forth in, or imposed under, this UDO.

Construction Plans: The construction documents required to accompany the final plat according to this UDO of the City of College Station, or the building and site plans required for the issuance of a Building Permit by the City of College Station.

Co-op Housing: A building under joint occupancy that provides group sleeping accommodations for more than four persons per household, where each unit may be equipped for food preparation and where some common facilities (e.g., living areas, bathrooms, dining areas) serve all units within that building.

Corner Lot: A lot abutting upon two or more streets at their intersections.

Country Club: Land area and buildings containing golf courses or other recreational facilities, a clubhouse, and customary accessory uses, open to members and their guests.

Day Care - Commercial: Any facility or premises where a total of seven (7) or more children under sixteen (16) years of age, and/or elderly adults, regularly attend for purposes of custody, care, or instruction; and which children or elderly adults are not members of the immediate nuclear family of any natural person actually operating the facility or premises.

Day Care - In-Home: Any private residence where a total of six (6) or fewer persons regularly attend for purposes of custody, care, or instruction; and which persons are not members of the immediate nuclear family living in the residence. Nothing in this definition shall conflict with the provisions of Chapter 123 of the Texas Human Resources Code.

Density: The number of dwelling units per net acre.

Detention: The temporary storage and controlled release of stormwater flows.

Development: Any man-made change to improved or unimproved real estate that requires a permit or approval from any agency of the City or County, including, but not limited to, buildings or other structures, mining, dredging, filling, grading, paving, excavation, clearing, drilling operations, storage of materials, or the subdivision of property. Routine repair and maintenance activities are exempted.

Development Engineer: The Senior Assistant City Engineer assigned to the City's Planning & Development Services Department and designated as the Development Engineer.

Direct-To-Home Services: The distribution, broadcasting, or programming of services by satellite directly to the subscriber's premises without use of ground receiving or distribution equipment, except at the subscriber's premises or in the uplink process to the satellite; examples are direct broadcast satellites (DBS), multi-channel multipoint distribution (MMDS), and television broadcast stations (TVBS).

Dormitory: Any structure specifically designed for the exclusive purpose of housing students of a university, college, or school, excepting resident staff.

Drainage Area: That area, measured in a horizontal plane, which contributes stormwater flows by gravity flow along natural or man-made pathways to a single designated point along a pathway.

Drainage Easement: An interest in land granted to others for maintenance of a drainage facility, on which certain uses are prohibited; and providing for the entry and operation of machinery and vehicles for maintenance.

Drainage Facility: Any element necessary to convey stormwater flows from its initial contact with earth to its disposition in an existing watercourse; said drainage facilities shall consist of both public and private storm sewers (closed conduits), streets, improved channels constructed in conformity with the adopted Drainage Policy and Design Standards, unimproved drainageways left in their natural condition, areas covered by drainage easements for the purpose of providing concentrated or overland sheet flow, and all appurtenances to the foregoing, including inlets, manholes, junction boxes, headwalls, energy dissipaters, culverts, etc.

Drainage System, Primary: The system of natural watercourses, improved or channelized watercourses; and all closed conduits, culverts, bridges, detention facilities, and retention facilities associated with the watercourses; all of which are shown or indicated in the Drainage Policy and Standards.

Drainage System, Secondary: The system of conveyance of rainfall from the point that it becomes concentrated flow to the point where it reaches the primary drainage system. This system includes all swales, ditches, minor channels, streets, gutters, inlets, culverts, detention or retention facilities, or other means of conveyance of stormwater flows.

Drip Molding: A horizontal molding placed over an exterior door or window frame to divert rainwater.

Duplex Dwelling: A residential structure providing complete, independent living facilities for two separate families, including permanent provisions for living, sleeping, cooking, eating, and sanitation in each unit.

Dwelling Unit (DU): A residential unit providing complete, independent living facilities for one family including permanent provisions for living, sleeping, cooking, eating, and sanitation.

Earth Change: A man-made change in the natural cover or topography of land, including cutting or filling activities, which may result in or contribute to soil erosion or sedimentation.

Easement: A grant of reservation by the owner of land for the use of such land by others for a specific purpose or purposes, and which must be included in the conveyance of land affected by such easement.

Easement, Maintenance: A private easement that is dedicated by plat specifically for zero lot line construction in a single-family residential development. Maintenance easements shall be a minimum of 7.5 feet in width.

Educational Facility, Instruction Indoor: Any facility or premises regularly attended by one or more persons for the purpose of instruction. All instruction and activity must be fully contained within the building. Such types of instruction include classes in acting, art, dance, music, photography, and martial arts.

Educational Facility, Instruction Outdoor: Any facility or premises regularly attended by one or more persons for the purpose of instruction. Activities are allowed outside of a building.

Educational Facility, Primary and Secondary: Any public or private school licensed by the State which is designed, constructed, or used for education or instruction of students below the age of 20.

Educational Facility, Tutoring: Any facility or premises regularly attended by one or more persons for the purpose of instruction. All instruction and activity must be fully contained within a building.

Educational Facility, Vocational/Trade: Any public or private secondary or higher education facility primarily teaching usable skills that prepare students for jobs in a trade and meeting the state requirements as a vocational facility. All instruction and activity must be fully contained within the building.

Educational Facility, College/University: A college or university authorized by the State to award degrees.

Elevation: The vertical distance from a datum, usually the NGVD, to a point or object. If the elevation of point A is 802.46 ft., the point is 802.46 ft., above some datum.

Encroachment: An intrusion, obstruction, or other infringement on an area reserved for a specific purpose such as an easement or floodway.

Engineer: A person duly authorized and licensed under the provisions of the Texas Engineering Registration Act, to practice the profession of engineering.

Enhanced Paving: Earth toned (not gray) decorative pavers, stamped concrete, or dyed concrete.

Erosion: The process whereby the surface of the earth is broken up and carried away by the action of wind, water, gravity, ice, or a combination thereof.

Escort: A person who, for consideration as part of a business enterprise, agrees, offers to, or models lingerie, performs a striptease, or performs nude or semi-nude for another person at a location other than a sexually-oriented business.

Escort Agency: A person or business enterprise that furnishes, offers to furnish, or advertises to furnish, for consideration, escorts who perform any escort services in the City. An escort agency that advertises or holds itself out in signage visible from the public right-of-way as “X...”, “adult”, or “sex” shall be considered an “Adult Retail Store.”

Excavation: Any act by which soil or rock is cut into, dug, quarried, uncovered, removed, displaced, or relocated purposely by man and shall be taken to include the conditions resulting therefrom.

Existing Construction: Structures for which the "start of construction" commenced before the effective date of the FIRM. "Existing construction" may also be referred to as "existing structures."

Existing Development: Any development as defined above which existed or was permitted prior to the date on which this UDO became effective.

Existing Tree: Any self supporting woody plant, with one or more well-defined trunks, two inches (2”) in diameter or greater at one foot above the ground.

Extended Care Facility, Convalescent Home, or Nursing Home: A building, or portion thereof, used or designed for the housing of the aged, and/or mentally or physically handicapped persons who are under daily medical, psychological, or therapeutic care; provided that this definition shall not include rooms in any residential dwelling, hotel, or apartment hotel not ordinarily intended to be occupied by said persons.

Exterior Side Yard: A yard that faces and is parallel to a side street.

Extraterritorial Jurisdiction: Within the terms of the Texas Municipal Annexation Act, the unincorporated area, not a part of any other city, which is contiguous to the corporate limits of the City of College Station, the outer boundaries of which are measured from the extremities of the corporate limits of the city, outward for such distances as may be stipulated in the Texas Municipal Annexation Act, in which area, within the terms of the act, the City may enjoin the violation of its subdivision control provisions.

Façade: The exterior face of a building.

Façade Work: The removal, or replacement, substitution or change of any material or architectural element on the exterior face of a building, which includes, but is not limited to, painting, material change, awning or canopy replacement, signage, or other permanent visible facade treatment.

Family: A family is one or more persons occupying a single dwelling unit, provided that unless all members are related by (1) blood, (2) adoption, (3) guardianship, (4) marriage, or (5) are part of a group home for disabled persons, no such family shall contain more than four persons.

Federal Emergency Management Agency (FEMA): An agency of the Federal Insurance Administration which administers the National Flood Insurance Program.

Feeder Line: Any line, wire, or cable and appurtenances which distributes, transmits, or delivers a utility service from a source to a general area or to multiple developments, and not to a specific end user.

Field Size: That portion of a driving range property measured from the tee boxes to the end of the driving range area of the site.

Filed: The point at which an application has been determined to be complete and all required fees have been paid.

Flood or Flooding: A temporary rise in the level of water that results in inundation of areas not ordinarily covered by water from:

(1) The overflow of inland or tidal waters; or

(2) The unusual and rapid accumulation or runoff of surface waters from any source.

Flood Hazard Boundary Map (FHBM): An official map of a community, issued by the Federal Insurance Administration, where the areas within the boundaries of special flood hazards have been designated.

Flood Insurance Rate Map (FIRM): An official map of a community, on which the Federal Insurance Administration has delineated both the areas of special flood hazards and the risk premium zones applicable to the community.

Flood Insurance Study: The official report provided by the Federal Emergency Management Agency. The report contains flood profiles, the water surface elevation of the base flood, as well as the Flood Hazard Boundary Floodway Map.

Floodplain or Flood-Prone Area: Any land susceptible to being inundated by water from any source (see definition of flooding).

Flood Protection System: Those physical structural works for which funds have been authorized, appropriated, and expended and which have been constructed specifically to modify flooding in order to reduce the extent of the areas within a community subject to "special flood hazard" and the extent of the depths of associated flooding. Such systems typically include hurricane tidal barriers, dams, reservoirs, levees or dikes. These specialized flood modifying works are those constructed in conformance with sound engineering standards.

Floodway: The channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one foot.

Floodway, Zero-rise: The channel of a stream and that portion of the adjoining floodplain which is necessary to contain and discharge the base flood flow without any measurable increase in flood height. A measurable increase in base flood height means a calculated upward rise in the base flood elevation, equal to or greater than .01 foot, resulting from a comparison of existing conditions and changed conditions directly attributable to development in the floodplain. This definition is broader than that of the FEMA floodway, but always includes the FEMA floodway. The boundaries of the 100-year floodplain are considered the boundaries of the zero-rise floodway unless otherwise delineated by a sensitive area special study.

Floodway Fringe: That part of the base floodplain outside the floodway.

Floor Area Ratio: Floor Area Ratio (FAR) is a non-residential land use intensity measure analogous to density. It is the sum of the areas of several floors of a building compared to the total area of the site.

Fraternity or Sorority: An organization of university students formed chiefly to promote friendship and welfare among the members.

Fraternal Lodge: A structure where a group of people meet who are organized for a common interest, usually cultural, religious, or entertainment with regular meetings, rituals, and formal written membership.

Garage, Commercial: Any premises or structure with enclosed work area for servicing and repair of four or more standard size automobiles or light (standard size) trucks, or for one or more vehicles of larger size, or where any number of vehicles are kept for remuneration, hire or sale, and where motor vehicle fuels and supplies may be sold as a secondary use.

Gated Community: A residential area requiring mandatory membership in a Homeowners Association (HOA) and having its primary means of access controlled by an electric or manual gate administered by the HOA.

Government Facilities: A building or structure owned, operated, or occupied by a governmental agency to provide a governmental service to the public.

Grading: Any act by which soil is cleared, stripped, stockpiled, excavated, scarified, filled, or any combination thereof.

Greenway: A linear open space that follows natural features like the floodplains of creeks and rivers or human-made features such as utility, road, or rail corridors.

Greenway - Rural: The least developed Greenway typically located on the periphery of the developed community. This Greenway exists mostly in a natural state with the primary functions being flood control, wildlife protection, and aesthetic value. This Greenway is defined by the entire width of the floodplain.

Greenway - Suburban: These are the greenways located in the developing portions of the community. The primary functions served by this Greenway are flood control, recreation, transportation, and economic and aesthetic purposes.

Greenway - Urban: The most highly developed Greenway located in fully developed areas of the community. The primary functions served by this greenway are flood control, recreation, transportation, and economic and aesthetic purposes.

Greenways Manager: The "Greenways Manager" of the City of College Station.

Groundcover: A spreading plant including sods and grasses less than 18 inches in height.

Group Home: A home serving six or fewer mentally or physically handicapped persons provided the home provides care on a 24-hour basis and is approved or licensed by the State for that purpose. A group home shall be considered a single-family home and is defined pursuant to Chapter 123 of the Human Resources Code.

Health Care Facility: A facility or institution, whether public or private, principally engaged in providing services for health maintenance, diagnosis or treatment of disease, pain, injury, or deformity of physical conditions. This definition does not include a medical clinic or hospital as defined herein.

Health Club/Sports Facility: A building designed and equipped for the conduct of sports, or exercise, or other customary and usual recreational activities, operated for profit or not for profit and which is open only to members and guests of the club or facility.

Height: The vertical distance from the established grade at the center of the front of the structure to the highest point of the roof surface if a flat roof, to the deck line for mansard roofs, and to the mean height level between eaves and ridge for gabled, hip, and gambrel roofs.

Home Occupation: An occupation, profession, activity, or use that is clearly a customary, incidental, and secondary use of a residential dwelling unit and which does not alter the exterior of the property or affect the residential character of the neighborhood.

Hospital or Sanitarium: A building, or portion thereof, used or designed for the medical or surgical treatment of the sick, mentally ill, or injured persons, and including as an integral part, related facilities such as laboratories, outpatient facilities, or training facilities; provided that this definition shall not include rooms in any residential dwelling, hotel, or apartment hotel not ordinarily intended to be occupied by said persons.

Hotel/Motel/Extended Stay Facility: A building, or group of buildings, used or intended to be used as living quarters for transient guests, but not excluding permanent guests, and may include a cafe, drugstore, clothes pressing shop, barber shop, or other service facilities for the guests for compensation. A transient guest is any visitor or person who owns, rents, or uses a lodging or dwelling unit, or a portion thereof, for less than 30 days and whose permanent address for legal purposes is not the lodging or dwelling unit occupied by the visitor.

Impervious Surface: Impervious surface is a measure of land use intensity and is the proportion of a site occupied by impervious surfaces including, but not limited to, buildings, sidewalks, drives, and parking.

Industrial (Light): A use engaged in the manufacture, predominantly from previously prepared materials, of finished products or parts, including processing, fabrication, assembly, treatment, packaging, incidental storage, sales, and distribution of such products, but excluding basic industrial processing.

Industrial (Heavy): A use engaged in the basic processing and manufacturing of materials or products or parts, predominantly from extracted raw materials, or a use engaged in storage of, or manufacturing processes using flammable or explosive materials, or storage or manufacturing processes that potentially involve hazardous or commonly recognized offensive conditions.

Irrigation System: A permanent, artificial watering system designed to transport and distribute water to plants.

Land Use: A use of land which may result in an earth change, including, but not limited to, subdivision, residential, commercial, industrial, recreational, or other development, private and public highway, road and street

construction, drainage construction, logging operations, agricultural practices, oil and gas exploration, exploitation, extraction and mining.

Lateral Line: Any line, wire, or cable and appurtenances used to distribute, transmit, or deliver service from a feeder line to two or more sites or end users of the utility service within a specific development.

Levee: A man-made structure, usually an earthen embankment, designed and constructed in accordance with sound engineering practices to contain, control, or divert the flow of water so as to provide protection from temporary flooding.

Levee System: A flood protection system which consists of a levee, or levees, and associated structures, such as closure and drainage devices, which are constructed and operated in accordance with sound engineering practice.

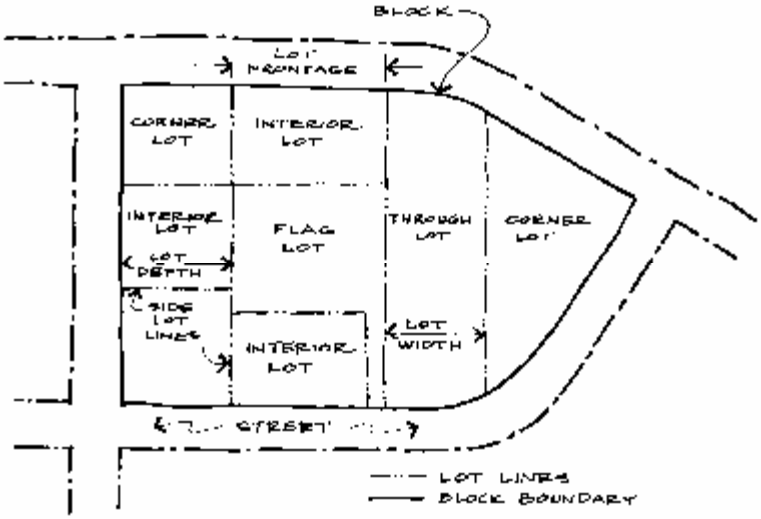
Lot: The physical and undivided tract or parcel of land as shown on a duly recorded plat. The following represent the various platted lot types:

(1) Corner Lot: A lot located at the intersection of and abutting upon two or more streets.

(2) Double Frontage or Through Lot: A lot, other than a corner lot, which has frontage on more than one street.

(3) Flag Lot: A lot not fronting on or abutting a public road and where access to the public road is by a narrow, private right-of-way.

(4) Interior Lot: A lot other than a corner lot.



Lot Area: The horizontal land area within lot lines, excluding any wetlands and/or drainage easements.

Lot Line Construction: A development where houses on a common street frontage are shifted to one side of their lot to maximize side yard area on the opposite side of the lot. Planning for all house locations are done at the same time to ensure proper building separations.

Lot of Record: A part of a recorded subdivision or a parcel of land that exists as shown or described on a plat or deed in the records of the local registry of deeds.

Lot Width: Lot width is measured between side lot lines along a line that is parallel to the front lot line or its chord and that is located the minimum front setback distance from the front lot line.

Lowest Floor: The lowest floor of the lowest enclosed area (including basement). An unfinished or flood resistant enclosure, usable solely for parking of vehicles, building access or storage, in an area other than a basement area, is not considered a building's lowest floor, provided that such enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirements of this UDO.

Major Recreational Equipment: For the purpose of these regulations, major recreational equipment is defined as including boats and boat trailers, travel trailers, pick-up campers or coaches (designed to be mounted on automotive vehicles), motorized dwellings, tent trailers, and the like, and cases or boxes used for transporting recreational equipment, whether occupied by such equipment or not. No such equipment shall be used for living, sleeping, home occupation or household purposes when parked or stored on a residential lot or in any location not approved for such use.

Manufactured Home: A structure constructed after June 15, 1976, according to the rules of the United States Department of Housing and Urban Development, transportable in one or more sections, which, in the traveling mode, is eight body feet or more in width or 40 body feet or more in length, or, when erected on site, is 320 or more square feet, and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities, and includes the plumbing, heating, air-conditioning, and electrical systems. The term does not include a recreational vehicle as that term is defined by 24 Code of Federal Regulations, Section 3282.8(g).

Manufactured Home Lot: A parcel of land in a manufactured home park for the placement of a single HUD-code manufactured home and the exclusive use of its occupants.

Manufactured Home Park: A parcel of land under single ownership that has been planned and improved for the placement of HUD-code manufactured homes for non-transient use.

Manufacturing and Production: See "Industrial, Light and Heavy."

Massage Establishment: A business enterprise offering massage conducted by persons engaged in the practice of medicine, nursing, osteopathy, physiotherapy, chiropractic, podiatry, or massage therapy for which they are licensed by the State of Texas, or persons under the direct supervision and control of such licensed persons.

Maximum Density: This is a gross density calculation. It is the total number of dwelling units on a site or in a subdivision divided by the total land area (in acres) of the site or subdivision.

Mean Sea Level: The National Geodetic Vertical Datum (NGVD) of 1929 or other datum, to which the base flood elevations shown on a community's Flood Insurance Rate Map are referenced.

Medical Clinic: See "Clinic."

Minimum Lot Width: Lot Width at the front setback line.

Mobile Home: A structure that was constructed before June 15, 1976, transportable in one or more sections, which, in the traveling mode, is eight body feet or more in width or 40 body feet or more in length, or, when erected on site, is 320 or more square feet, and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities and includes the plumbing, heating, air-conditioning, and electrical systems.

Model Home: A dwelling unit built by a builder or developer to allow potential purchasers to see what the finished product will look like.

Multi-Family Dwelling: A residential structure providing complete, independent living facilities for three or more families or households living independently of each other and including permanent provisions for living, sleeping, cooking, eating, and sanitation in each unit. Condominiums are included in this definition.

National Flood Insurance Program: The National Flood Insurance Program (NFIP) is a federal program enabling property owners to purchase flood insurance. This program is based on an agreement between local communities and the federal government that if a community will implement programs to reduce future flood damages, the federal government will make flood insurance available within the community as a financial protection against flood losses. The United States Congress established the NFIP with the National Flood Insurance Act of 1968 and later modified and broadened the program. The NFIP is administered by the Federal Emergency Management Agency (FEMA).

National Geodetic Vertical Datum (NGVD): The nationwide reference surface for elevations throughout the United States made available to local surveyors by the National Geodetic Survey with the establishment of thousands of benchmarks throughout the continent. It was obtained through a least-squares adjustment in 1929 of all first-order leveling in the United States and Canada. The adjustment included the 26 tide stations, and thus referenced the NGVD to mean sea level.

Natural: The cover and topography of land before any manmade changes, or in areas where there have already been manmade modifications, the state of the area and topography of land at the date of the adoption of this UDO.

New Construction: For floodplain management purposes, structures for which the "start of construction" commenced on or after the effective date of a floodplain management regulation adopted by a community.

Night Club: A commercial establishment including, but not limited to, bars, coffee houses, or similar establishments where a dance floor, music, games, or other entertainment is provided and where the serving of food is not the principal business. Specifically included in this classification are establishments that derive 75% or more of their gross revenue from the on-premise sale of alcoholic beverages. Sexually-oriented Businesses/Enterprises are not included in this definition.

Non-Combustible Material: As defined in Chapter Two of the International Residential Code as adopted and amended by the City of College Station City Council.

Non-Canopy Tree: See "Tree, Non-Canopy."

Northgate District definitions (applicable only to development in Northgate):

Redevelopment: The revision or replacement of an existing land use or existing site through the acquisition or consolidation, and the clearance and rebuilding of this area according to the Northgate Redevelopment Plan.

Site Development: Any excavation, landfill or land disturbance, including new construction, reconstruction, relocation, or change of use. For the purposes of the Northgate Districts only, site development includes installation of walls, accessory structures, and other similar additions.

Rehabilitation: The process of returning a structure to a state of utility, through repair or alteration, which make possible an efficient contemporary use while preserving those portions and features of the property which are significant to its historic, architectural, and cultural value.

Façade Work: The removal, or replacement, substitution or change of any material or architectural element on the exterior face of a building, which includes, but is not limited to, painting, material change, awning or canopy replacement, signage, or other permanent visible facade treatment.

Minor Site/Building Projects: The addition, maintenance, and/or replacement of minor building or site elements, including such actions related to storage building(s), screening, fencing, and refuse containers. This also includes requests for changes in service for dumpster and other refuse receptacles.

Nude: The showing of the human male or female genitals, pubic area, vulva, anus, anal cleft or cleavage with less than a fully opaque covering, or the showing of the covered male genitals in a discernibly turgid state.

Nude Modeling Studio: Any place where a person who appears in a state of nudity or displays "specific anatomical areas" is provided to be observed, sketched, drawn, painted, sculptured, photographed, or similarly depicted by other persons who pay money or any form of consideration.

Office: A room or group of rooms used for conducting the affairs of a business, profession, service, industry or government and generally furnished with desks, tables, files, and communication equipment.

One Ownership: Property which although belonging to one or more owners, has not been partitioned or subdivided so as to be owned separately by more than one person, whether or not related or participating in a joint enterprise.

Outdoor Storage: The keeping, in an unenclosed area, of any goods, junk, material or merchandise in the same place for more than twenty-four hours and not actively being sold.

Outdoor Display: The placement of goods for active sale outside the building.

Overlay: A zoning district that encompasses one or more underlying zones and that imposes additional requirements above those required by the underlying zone.

Pad Site: The portion of a building plot that is located on the periphery of the site and has at least 75 feet of frontage on a public street classified as a collector or greater on the Thoroughfare Plan. A pad site contains a stand alone, single or multiple tenant structure and meets all site plan requirements within the pad site area. The total area of all pad sites within a defined building plot may not be more than 1/3 of the total area of the building plot.

Parking, Interior: Parking rows which are not located on the periphery of the proposed project site and further, where none of the parking spaces abut any property line associated with the proposed project site.

Parking, Peripheral: Parking rows which abut the periphery or property lines associated with the proposed project site.

Parking, Overflow: Parking in excess of the minimum required by this ordinance and in excess of what is utilized on a regular basis by the development.

Parking, Row, Single: A single row of spaces for the parking of motor vehicles.

Parking, Row, Double: Two parallel rows of spaces for the parking of motor vehicles arranged so that when parked, the front end of each motor vehicle faces the front end of another motor vehicle.

Parking, Side or Rear Yard: Required parking that is provided, in its entirety, behind a setback line of one-half of the applicable zoning district's minimum lot depth.

Parking Space: A space used for the parking of a motor vehicle not on the paved or regularly traveled portion of a public street or within private access easements and which meets the requirements of this UDO as to size, location, and configuration.

Pasturage: Land used primarily for the grazing of animal stock.

Pavement Width: The portion of the surface of the street available for vehicular traffic; where curbs are used, it is the portion between the back of curbs.

Permitted Use: A use specifically allowed in one or more of the various districts without the necessity of obtaining a use permit.

Person: Every natural person, firm, partnership, joint venture, association, corporation, or other group which conducts activities regulated hereunder as a single entity, whether same be a legal entity or not, venture, or trust.

Personal Service Shop: An establishment which provides services related to grooming, appearance, care, or repair of personal apparel; and which may sell products used or recommended for those same purposes incidental to the services provided.

Place of Worship: A building or structure, or group of buildings or structures, that by design and construction are primarily intended for conducting organized religious services and associated accessory uses.

Planning and Zoning Commission: The duly appointed Planning and Zoning Commission of the City of College Station, Texas.

Plat: A map of a subdivision showing the location and boundaries of individual parcels of land subdivided into lots, with streets, alleys, easements, etc., usually drawn to scale; includes a preliminary plat, final plat, replat, amending plat, minor plat, development plat, and vacating plat meeting the requirements of Section 8.

Plat, Major: A subdivision involving five or more lots which may or may not front on an existing street and may or may not require the creation of any new street or the extension of municipal utilities.

Plat, Minor: As defined by Section 212.0065 of the Texas Local Government Code. A subdivision involving four or fewer lots fronting on an existing street and that does not require the creation of any new street or the extension of municipal facilities.

Plot Plan: See "Site Plan."

Portable Storage: Any unit, including but not limited to a trailer, box, or other enclosed shipping container, which is used primarily as storage space whether the unit is located at a facility-owned establishment or operated by the owner at another location designated by the tenant.

Premises: An area of land planned and designed as a single comprehensive project, considered from the time the plan is first submitted to the Development Services Department either at plat stage or site plan stage.

Project Plan: Drawings and related information illustrating a proposed project for which a use permit, site plan permit, or parking area/landscape approval is sought.

Public Uses / Facilities: A use or facility belonging to or used by the public for the transaction of public or quasi-public business including, but not limited to, uses such as and similar to libraries and public parks.

Quoin: Units of stone or brick used to accentuate the corners of a building.

Recyclable Materials: Those materials specifically listed at a particular site as acceptable. Such materials may include, but are not limited to, aluminum products, clean glass containers, bimetal containers, newspapers, magazines, periodicals, plastic containers, yard waste, paper and cardboard, phone books, and scrap metal.

Recycling: The separation, collection, processing, recovery and sale of metals, glass, paper, plastics, and other materials which would otherwise be disposed of as solid waste, which are intended for reuse, re-manufacture, or re-constitution for the purpose of using the altered form.

Recycling Bin: A container used to collect recyclable materials, at which no fee is collected from the person depositing the materials.

Recycling Facility - Large: A recycling facility located on an independent site, or larger than 500 square feet, where limited mechanical processing may or may not occur, depending on the zoning district in which the facility is located.

Recycling Facility - Small: A facility that occupies no more than 500 square feet, and provides containers for collection only of source separated recyclables, with no power-driven processing equipment on site. Small collection facilities are normally located on parking lots of the host use. These may include, but are not limited to, bulk reverse vending machines, a grouping of reverse vending machines that exceed 50 square feet, kiosk-type structures that may include permanent structures, and unattended recycling bins placed for the donation of recyclable materials.

Redevelopment: The revision or replacement of an existing land use or existing site through the acquisition or consolidation, and the clearance and rebuilding of this area according to a comprehensive plan.

Registered Professional Engineer: A person duly authorized and licensed under the provisions of the Texas Engineering Practice Act, to practice the profession of engineering.

Rehabilitation: The process of returning a structure to a state of utility, through repair or alteration, which make possible an efficient contemporary use while preserving those portions and features of the property which are significant to its historic, architectural, and cultural value.

Related: Persons are related when they are within the first or second degree of consanguinity or affinity. Persons are not related by affinity unless lawfully married, and any asserted common law marriage must be subject to an affidavit of record under the family code, or a judicial determination.

Religious Institution: See "Place of Worship."

Repair Shops: A shop exclusively for the repair of household goods and home equipment, within a building with no outdoor storage of items or equipment, and where no noise, dust, or vibration is discernible beyond the property line.

Replat: A replat is required in cases where new lots are formed within an existing subdivision. A replat follows the procedure for a final plat and must conform with applicable zoning.

Research Laboratory: An establishment or facility used for carrying on investigation in the natural, physical or social sciences, which may include engineering and product development.

Residential Sales Office: See “Model Home.”

Restaurant: An establishment that serves food and beverages primarily to persons seated within the building. This includes, but is not limited to, cafes, tea rooms, and outdoor cafes.

Restaurant – Casual Dining: A restaurant with a market segment between Fast Food and Fine Dining restaurants usually characterized by table service, a relatively fully-stocked and full-service bar, and a bill per dinner averaging $10 - $30 for an evening meal and slightly less for lunch and does not provide drive-thru service.

Restaurants - Fast Food: An establishment that offers quick food which is accomplished through a limited menu of items already prepared and held for service, or prepared quickly. Orders are not generally taken at a customer's table and food is generally served in disposable wrapping or containers.

Restaurant – Fine Dining: A restaurant serving formal-style dinner, and services where food and drink are prepared and served. Customer turnover rates are typically one hour or longer. Such establishments serve dinner but generally do not serve breakfast and may or may not serve lunch or brunch. These restaurants usually have a dress code and do not provide drive-thru service.

Retail Sales: Establishments engaged in selling goods or merchandise to the general public for personal or household consumption and rendering services incidental to the sale of such goods.

Retention: The storage of stormwater flows in a facility that has a permanent pool of water.

Retention Facility: A facility that provides for the storage of stormwater flows by means of a permanent pool of water or permanent pool in conjunction with a temporary storage component.

Reverse Vending Machine: An automated mechanical device which accepts at least one or more types of beverage containers including, but not limited to, aluminum cans, glass and plastic bottles, and which issues a cash refund or a redeemable credit slip. Sorting and processing occurs entirely within the machine.

Reverse Vending Machine - Bulk: A reverse vending machine that is larger than 50 square feet and is designed to accept more than one container at a time and to pay by weight. For the purpose of these restrictions, bulk reverse vending machines will be considered small collection facilities.

Reverse Vending Machine - Single Feed: A reverse vending machine that accepts materials one item at a time.

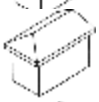
Rooming/Boarding House: A group of rooms provided for persons other than members of the occupant family (see definition of family) for compensation either in a converted single-family home or in a structure specifically designed for such purpose where there are no cooking facilities provided in individual living units and where meals may be provided daily.

Roof Types:

(1) Flat Roof: A roof with only enough pitch to allow drainage.

(2) Gable Roof: A ridged roof having one (1) or two (2) gabled ends (gable: the portion of the end of a building that extends from the eaves to the peak or ridge of the roof).

(3) Gambrel Roof: A roof whose slope on each side is interrupted by an obtuse angle that forms two pitches on each side, the lower slope being steeper than the upper.



(4) Hip Roof: A roof formed by several adjacent inclining planes, each rising from a different wall of building, and forming hips at their adjacent sloping sides.

(5) Mansard Roof: A roof with a double pitch on all four sides, the lower level having the steeper pitch.

(6) Shed Roof: A roof having a single-sloping plane.

Salvage Yard: A facility or area for storing, keeping, selling, dismantling, shredding, compressing, or salvaging material or equipment. Materials include, but are not limited to, lumber, pipes, metal, paper, rags, tires, bottles, motor vehicle parts, machinery, structural steel, equipment/vehicles, and appliances.

Satellite Dish: A broadcast receiver that receives signals directly from a satellite rather than another broadcast system, and amplifies the signal at a focal point in front of the receiving component.

School: A building where persons regularly assemble for the purpose of instruction or education, together with playgrounds, dormitories, stadia and other structures or grounds used in conjunction therewith and is

limited to public and private schools used for primary, secondary or college education. This includes any facility where tutoring of more than 10 students at one time takes place on a regular basis.

Sediment: Soils or other surficial materials transported or deposited by the action of wind, ice, or gravity as a product of erosion.

Service Line: Any line, wire, or cable and appurtenances used to distribute, transmit, or deliver a utility service from a source of supply, feeder line, or lateral line directly to an end user.

Service Provider: Any company, corporation, alliance, individual, or other legal entity that provides a wireless telecommunication service directly to the public for a fee or to such classes of users as to be effectively available directly to the public regardless of the facilities used; services include, but are not limited to, portable phones, car phones, pagers, digital data transmission, or radio or television communications.

Setback Line: A line which marks the minimum distance a structure must be located from the property line, and establishes the minimum required front, side, or rear yard space of a building plot.

Sexually-Oriented Books and Videos: Books, magazines, pamphlets, pictures, drawings, photographs, video tapes, digital video disks, motion picture films, or sound recordings, or printed, visual or audio material of any kind, which are characterized by their emphasis on the description or depiction of specified anatomical areas or specified sexual activities.

Sexually-Oriented Business: Any business whether in public, semi-public, or private premises which offers the opportunity to feel, handle, touch, paint, be in the presence of, or be entertained by the unclothed body or the unclothed portion of the body of another person, or to observe, view, or photograph any such activity. Except as provided herein, this definition is not intended to regulate:

(1) Any business operated by or employing licensed psychologists, licensed physical therapists, licensed athletic trainers, licensed cosmetologists, or licensed barbers performing functions authorized under the licenses held.

(2) Any business operated by or employing licensed physicians, licensed practical nurses, or licensed chiropractors engaged in practicing the healing arts.

(3) Any bookstore, movie theater, or video store, unless that business includes sexually-oriented materials.

Sexually-oriented businesses include, but are not limited to, adult retail stores, limited adult retail stores, adult arcade, adult cabarets, adult movie theaters, adult theaters, adult motels, body rub parlors, nude modeling studios, sexual encounter centers, and escort agencies.

Sexually-Oriented Materials: All sexually-oriented toys and novelties and sexually-oriented books and videos.

Sexually-Oriented Toys and Novelties: Instruments, devices, or paraphernalia either designed as representations of human genital organs or female breasts, or designed or marketed primarily for use to stimulate human genital organs, except medical devices approved by the Food and Drug Administration.

Shopping Center: A building plot developed or ultimately to be developed with two or more stores, shops, or commercial enterprises, and which has shared parking facilities or access.

Shooting Range: A facility to be utilized for discharging firearms for purpose of testing the firearm or ammunition, developing or enhancing shooter skills for recreation or other need, which is organized and equipped for safety of persons utilizing the facility and the general public.

Shrub: A woody perennial plant differing from a perennial herb by its more woody stem and from a tree by its low stature and habit of branching from the base.

Single-Family: A residential unit providing complete, independent living facilities for one family including permanent provisions for living, sleeping, cooking, eating and sanitation.

Sign: Any written or graphic representation, decoration, form, emblem, trademark, flag, banner, or other feature or device of similar character which is used for the communication of commercial information, or communication of ideas or subjects of political significance, and which:

(1) Architectural Element: an element, design, or motif, that is installed, attached, painted, or applied to the exterior of a building or structure for the purpose of ornamentation or artistic expression, and not relating to a specific sign, logo, or identity of any specific business tenant.

(2) Apartment/Condominium/Manufactured Home Park Identification Sign: An attached sign or a freestanding monument sign with permanent foundation or moorings, designed for identification of a multi-family residential project or a manufactured home park project, and where adequate provision is made for permanent maintenance.

(3) **Area Identification Sign:** A freestanding monument or wall sign with permanent foundation or moorings, designed for identification of subdivisions of ten to 50 acres, or identification of a distinct area within a subdivision, and where adequate provision is made for maintenance.

(4) **Attached Sign:** A sign attached to, or applied on, and totally supported by a part of a building.

(5) **Banner/Flag:** A piece of fabric used for decoration (contains no copy or logo) or for identification (contains copy and/or logo).

(6) **Commercial Banner:** A sign made of cloth, canvas, or other flexible material which directs attention to a business, commodity, service, entertainment, or attraction sold, offered, or existing.

(7) **Commercial Sign:** A sign which directs attention to a business, commodity, service, entertainment, or attraction sold, offered, or existing.

(8) **Development Sign:** A sign announcing a proposed subdivision or a proposed building project.

(9) **Directional Traffic Control Sign:** A sign utilized as a traffic control device in off-street parking or access areas whose primary purpose is not for advertisement.

(10) **Freestanding Commercial Sign:** A sign supported by one or more columns, poles or bars extended from the ground or from an object on the ground, or that is erected on the ground; the term includes all signs which are not substantially supported by a building or part thereof, or which are substantially supported by a building or part thereof, when the sole significant purpose of the building or part thereof, is to support or constitute the sign.

(11) **Fuel Price Sign:** A sign used to advertise the current price of fuel at locations where fuel is sold.

(12) **Home Occupation Sign:** A sign used to identify the name and occupation of a person with a legal home occupation.

(13) **Low Profile Sign:** A sign with a permanent foundation which is not attached to a building, but is a stand-alone sign and which does not exceed 60 S.F. in area and four feet in height.

(14) **Non-Commercial Sign:** A work of art or message which is political, religious, or pertaining to a point of view, expression, opinion, or idea that contains no reference to the endorsement, advertising of, or promotion of patronage, of a business, commodity, service, entertainment, or attraction that is sold, offered, or existing.

(15) **Off-Premise Commercial Sign:** A sign which directs attention to a business, commodity, service, entertainment, or attraction sold, offered, or existing elsewhere than upon the premises where such sign is displayed.

(16) **On-Premise Commercial Sign:** A sign which directs attention to a business, commodity, service, entertainment, or attraction sold, offered, or existing upon the premises where such sign is displayed.

(17) **Political Sign:** Any sign which promotes a candidate for any public office or which advocates a position on any social issue as its primary purpose. Political signs shall be considered in the category of non-commercial signs except where there are regulations pertaining to their removal after an election.

(18) **Portable Sign:** A sign which is not affixed or attached to real property by poles, stakes, or other members which are placed into the ground, or upon some other type of permanent foundation; trailer signs, any sign with wheels or skids, and any sign which is constructed so as to sit upon the surface of the ground, without subsurface attachment or extension.

(19) **Real Estate, Finance, and Construction Sign:** An attached or freestanding sign erected upon a lot or parcel of land for the purpose of advertising same for sale or lease, or for advertising the furnishing of interim or permanent financing for a project, or for the furnishing of labor, materials or the practice of crafts on the job site.

(20) **Roof Sign:** An outdoor advertising display sign erected, constructed, or maintained on the roof of a building or which is wholly dependent upon a building for support, and which projects above the point of a building with a flat roof, six feet above the eave line of a building with a shed, gambrel, gable or hip roof, or the deck line of a building with a mansard roof.

(21) **Special District Identification Sign:** An official, permanent, on-premise sign authorized by the City of College Station, which is used to identify a pedestrian or vehicular entrance to a Design District or Overlay District, as out lined in Article 5.6 Design Districts and 5.8 Overlay Districts.

The sign shall be used to display only the name, logo, or identifying information about the district, and no other commercial information.

(22) Subdivision Identification Sign: A freestanding monument or wall sign with permanent concrete foundation or moorings, designed for permanent identification of a subdivision of greater than 50 acres, and where adequate provision is made for permanent maintenance.

(23) Subdivision Marker: A subdivision logo of no more than one square foot in area, that is attached to an architectural element such as a column, fence post, wall, mail kiosk, bus stop, or similar community structure, and whose purpose is to provide continuity and identity throughout the subdivision.

Site Development: Any excavation, landfill or land disturbance, including new construction, reconstruction, relocation, or change of use.

Site Plan: A site development plan showing the use of the land including locations of buildings, drives, sidewalks, parking areas, drainage facilities, and other structures to be constructed, and any other details required by the City in Section 3.6, Design District Site Plan Review, of this UDO. Also called a plot plan.

Sitwall: A combination or seating with perimeter protection and/or screening in a subtle, attractive, and functional way.

Specified Anatomical Area: Any showing of the human male or female genitals, pubic area, or buttocks with less than a fully opaque covering, or showing of the female breast with less than a fully opaque covering of any portion thereof below the top of the areola, or the depiction of covered male genitals in a discernibly turgid state.

Specified Sexual Activities: Actual or simulated acts of masturbation, sexual intercourse, oral or anal copulation or sadomasochism; fondling or other erotic touching of or physical contact with one's own or another's genitals, pubic area, buttocks, or female breasts, whether clothed or unclothed; human male or female genitals when in a state of sexual stimulation or arousal; or excretory functions or acts with animals as part of or in conjunction with any of the activities set forth herein. Activities which are commonly referred to by the slang terms "lap dance," "straddle dance," "face dance," or "table dance" shall be included in this definition. For purposes of this definition, "sadomasochism" means infliction of pain, flagellation, or torture, or the condition of being bound, fettered, or otherwise physically restrained.

Start of Construction: Includes substantial improvement, and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, placement, or other improvement was within 180 days of the permit date. The actual start means the first placement of permanent construction of a structure on a site, such as the pouring of a slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation, or the placement of a HUD-code manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading, and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for basement, footings, piers, or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as a dwelling unit and not part of the main structure.

State: The State of Texas.

Stealth Antenna: A telecommunication antenna located on an alternative mounting structure that is effectively camouflaged or concealed from view and blends into the surrounding environment. Examples include architecturally screened roof-mounted antennas, building-mounted antennas painted and/or textured to match the existing structure, and antennas integrated into architectural elements.

Stealth Technology or Facility: Design technology that blends the wireless telecommunications facility into the surrounding environment; examples of stealth facilities include, but are not limited to, architecturally-screened roof-mounted antennas, building-mounted antennas painted and/or textured to match the existing structure, antennas integrated into architectural elements such as church spires or window wall, and antenna structures designed to resemble light poles or flag poles.

Stealth Tower: A man-made tree, clock tower, church steeple, bell tower, utility pole, light standard, identification pylon, flagpole, or similar structure, that is camouflaged to be unrecognizable as a telecommunications facility, designed to support or conceal the presence of telecommunication antennas and blends into the surrounding environment.

Storage Garage: A "storage garage" is any premises and structure used exclusively for the storage of more than five automobiles.

Storage, Outdoor: See "Outdoor Storage."

Storage, Self Service: A structure containing separate, individual, and private storage spaces of varying sizes.

Stormwater Management: All ordinances, standards, plans, and studies to insure the timely and effective construction of:

(1) a system of vegetative and structural measures that control the increased volume and rate of surface runoff caused by man-made changes to the land; and

(2) a system of vegetative, structural, and other measures that reduce or eliminate pollutants that might otherwise be carried by surface runoff.

Street: A way for vehicular traffic to move, whether designated as a highway, arterial street, collector street, or local street.

Street, Minor Arterial: A street that collects traffic from the collector system and connects with the major arterial system.

Street, Major Arterial: A street that collects traffic from the collector and minor arterial system and connects with the freeway system.

Street, Collector: A street that collects traffic from local streets and connects with minor and major arterials. This includes minor and major collectors.

Street, Local: A street that provides vehicular access to abutting property.

Stringcourse: A narrow, continuous ornamental band set in the face of a building as a design element; also known as a cordon.

Stripping: Any activity which removes or significantly disturbs the vegetative surface cover, including clearing and grubbing operations.

Structure: Anything constructed, built, or erected.

Structure, Principal: The principal structure which fulfills the purpose for which the building plot is intended.

Subdivider: Any person or persons, firm, or corporation subdividing a tract or parcel of land to be sold or otherwise handled for his own personal gain or use.

Subdivision: The division of a lot, tract, or parcel of land into two or more parts, lots, or sites, for the purpose, whether immediate or future, of sale, division of ownership, or building development. This also includes the resubdivision of land or lots which are a part of a previously recorded subdivision. Divisions of land for agricultural purposes, where no building construction is involved, in parcels of five acres or more, shall not be included within this definition, unless such subdivision of five acres or more includes the planning or development of a new street or access easement. An addition is a subdivision as is defined herein.

Subdivision, Major: Any subdivision of land not considered a minor subdivision.

Subdivisions, Minor: A division of land into four or fewer lots on an existing street which does not require the creation of any new street or the extension of municipal facilities.

Substantial Improvement: Any repair, reconstruction, or improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure either:

(1) Before the improvement or repair is started, or

(2) If the structure has been damaged and is being restored, before the damage occurred.

For the purposes of this definition, "substantial improvement" is considered to occur when the first alteration of any wall, ceiling, floor, or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure. The term does not, however, include either:

(1) Any projects for improvement of a structure to comply with existing state or local health, sanitary, or safety code specifications which are solely necessary to assure safe living conditions, or

(2) Any alterations of a structure listed on the National Register of Historic Places or a State Inventory of Historic Places.

Surveyor: A person duly authorized and licensed under the Texas Professional Land Surveying Practices Act to practice the profession of land surveying, either as a Registered Professional Land Surveyor or a Licensed State Land Surveyor.

Theater: A building or part of a building devoted to showing motion pictures or for dramatic, dance, musical, or other live performances.

Townhouse: One of a group of no less than three, nor more than twelve, attached dwelling units, each dwelling unit located on a separate lot and thereby distinguished from condominium units.

Tree, Canopy: An overstory tree that exhibits a layer or multiple layers of branches and foliage at its top or crown and extending a distance outward from its trunk or trunks. This tree's overall appearance is dominated by its tall stature (often over 80'), its broad canopy, and the shade that it produces.

Tree, Non-Canopy: A tree that may reach canopy tree height, but does not have the same dominance of canopy as the canopy tree, OR an understory tree that does not reach canopy tree height, but does exhibit a similar dominance of canopy size and structure.

Transmission Tower: A wireless telecommunications support structure designed primarily of the support and attachment of a wireless telecommunications facility. Transmission towers include:

(1) Monopole Tower - A self-supporting structure composed of a single spire used to support telecommunications antenna and/or related equipment;

(2) Lattice Tower - A self-supporting three or four sided, open, steel frame structure used to support telecommunications antenna and/or related equipment; and

(3) Guyed Tower - An open, steel frame structure that requires wires and anchor bolts for support.

Truck Stop: Any building, premises, or land in which or upon which a business, service, or industry involving the maintenance, servicing, storage, or repair of commercial vehicles is conducted or rendered, including the dispensing of motor fuel or other petroleum products directly into motor vehicles and the sale of accessories or equipment for trucks and similar commercial vehicles. A truck stop also may include overnight accommodations and restaurant facilities primarily for the use of truck crews. For the purposes of this definition, a use is classified as a truck stop when more than 10 fuel pumps are used.

Two-Family Home: Two dwelling units on a single platted lot, either side-by-side or upstairs and downstairs. Also known as a duplex.

Use: The actual use(s) of a parcel of ground, whether conducted within or without structures, buildings, or improvements. An unoccupied and unused structure is not a use, irrespective of its design, purpose, or utility.

Utility Easement: An interest in land granted to the City, to the public generally, and/or to a private utility company, for installation or maintenance of utilities across, over, or under private land, together with the right to enter thereon with machines and vehicles as necessary for maintenance of such utilities.

Utility Facility: Infrastructure services and structures necessary to deliver basic utilities essential to the public health, safety, and welfare. This includes all lines and facilities provided by a public or private agency and related to the provision, distribution, collection, transmission or disposal of water, storm and sanitary sewage, oil, gas, power, information, telephone cable, electricity and other services provided by the utility. This does not include facilities regulated by Section 6.3.P, Wireless Telecommunication Facilities.

Variance: The modification of a specific standard in this UDO.

Vehicle Repair and Service Shop: Any premises or structures when used for the servicing and/or repair of motor vehicles, including paint and body work, engine rebuilding and minor maintenance activities, irrespective of commercial gain derived therefrom. Excepted from this definition are residential premises where not more than two motor vehicles belonging to the lawful residents thereof are involved in such activities at any one time, and not in operating condition, or where not more than one motor vehicle, whether or not in operating condition, and not belonging to the lawful residents thereof is involved in such activities for a period of more than one week, and only one motor vehicle may be serviced and/or repaired each month.

Vehicle Sales and Rental: Any premises or structures used for the sale and or rental of motor vehicles.

Violation: The failure of a structure or other development to be fully compliant with the community's floodplain management regulations. A structure or other development without the elevation certificate, other certifications, or other evidence of compliance required by this chapter is presumed to be in violation until such time as that documentation is provided.

Water Surface Elevation: The height, in relation to the National Geodetic Vertical Datum (NGVD) of 1929 (or other datum if specified), of floods of various magnitudes and frequencies in the floodplains of coastal or riverine areas.

Watercourse: Any natural or artificial stream, river, creek, ditch, channel, canal, conduit, culvert, drain, waterway, gully, ravine, or wash, in and including any area adjacent thereto, which is subject to inundation by reason of overflow of flood water.

Wireless Telecommunication Facility (WTF): An unstaffed facility operating for the transmission and reception of low-power radio signals consisting of an equipment shelter or cabinet, a support structure, antennas, and related equipment.

Wholesale Sales: Establishments or places of business primarily engaged in selling merchandise to retailers; to industrial, commercial, institutional, or professional business users; to other wholesalers; or acting as agents or brokers and buying merchandise for, or selling merchandise to, such individuals or companies.

Yard: Open spaces on the lot or building plot on which a building is situated and which are open and unobstructed to the sky by any structure except as herein provided.

(1) **Front Yard.** A yard facing and abutting a street and extending across the front of a lot or building plot between the side property lines and having a minimum horizontal depth measured from the front property line to a depth of the setback specified for the district in which the lot is located.

(2) **Rear Yard.** A yard extending across the rear of the lot or building plot between the side property lines and having a minimum depth measured from the rear property line as specified for the district in which the building plot is located.

(3) **Side Yard.** A yard located on a lot or building plot extending from the required rear yard to the required front yard having a minimum width measured from the side property line as specified for the district in which the building plot is located.

Zoning: A method of land use control requiring the categorization of land use of every tract of land within a particular jurisdiction according to a zoning ordinance or code and usually in accordance with a land use plan which is intended to preserve the quality of life and orderly development of that jurisdiction.

March 9, 2006
Regular Agenda
Interstate 69 Corridor Resolution

To: Glenn Brown, Interim City Manager

From: Don Fazzino, Manager of Special Projects and Legislative Affairs

Agenda Caption: Presentation, possible action, and discussion regarding a resolution supporting the development and construction of the I-69 Trans Texas Corridor.

Recommendation(s): Staff recommends approval of the resolution.

Summary: This item is being presented per the recommendation of the Council Transportation Committee at its January 18 meeting.

The Texas Transportation Commission selected the route of Interstate 69 as one of four high priority Trans Texas Corridor routes meant to relieve traffic congestion and enhance roadway safety. The I-69 project is currently in the environmental study phase.

This resolution is meant to show support for the project and express the City's interest in I-69 being located as close to the College Station-Bryan area as possible.

Budget & Financial Summary: N/A

Attachments:
1. Resolution

2. Map

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COLLEGE STATION, TEXAS, SUPPORTING THE DEVELOPMENT AND CONSTRUCTION OF THE INTERSTATE 69/TTC-69 CORRIDOR.

WHEREAS, the United States Congress has designated the route for Interstate 69 ("I-69/TTC-69") as part of the Dwight D. Eisenhower System of Interstate and Defense Highways; and

WHEREAS, rapid, safe and efficient transportation is essential to economic development and job growth of the State of Texas; and

WHEREAS, rapidly growing passenger traffic and freight transport is producing a growing congestion and safety problem in the State of Texas; and

WHEREAS, the Texas transportation system is called upon to serve growing interstate and international trade flows; and

WHEREAS, the Texas Transportation Commission has developed the Trans Texas Corridor System to address these challenges; and

WHEREAS, the Alliance for I-69/TTC-69 Texas was the first organization in Texas to endorse the Trans Texas Corridor concept in February of 2002; and

WHEREAS, the Texas Transportation Commission has selected the I-69/TTC-69 route as one of four high priority Trans Texas Corridor routes; and

WHEREAS, the College Station City Council in April of 2002 passed a resolution encouraging the concept of the Trans Texas Corridor and its connections between the Brazos Valley Region and the major metropolitan areas of the state of Texas; now, therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF COLLEGE STATION, TEXAS:

PART 1. College Station supports the continued development and construction of projects to relieve congestion and improve safety along the existing toll free alternative I-69/TTC-69 routes serving regional and local passenger and freight traffic.

PART 2. College Station supports the development and construction of I-69/TTC-69 as part of the Trans Texas Corridor System at the earliest possible time.

PART 3. College Station supports the development and construction of I-69/TTC-69 as a tolled facility for the long haul express movement of passengers and freight.

PART 4. College Station recognizes the benefits of enhanced transportation and requests I-69/TTC-69 be built as close as possible to the Bryan-College Station area.

PART 5. College Station commends the Texas Transportation Commission for the innovative and aggressive approach it is taking to provide the State of Texas with the best transportation system in the nation for the 21st Century.

ADOPTED this _____ day of _____, A.D. 2006.

ATTEST:

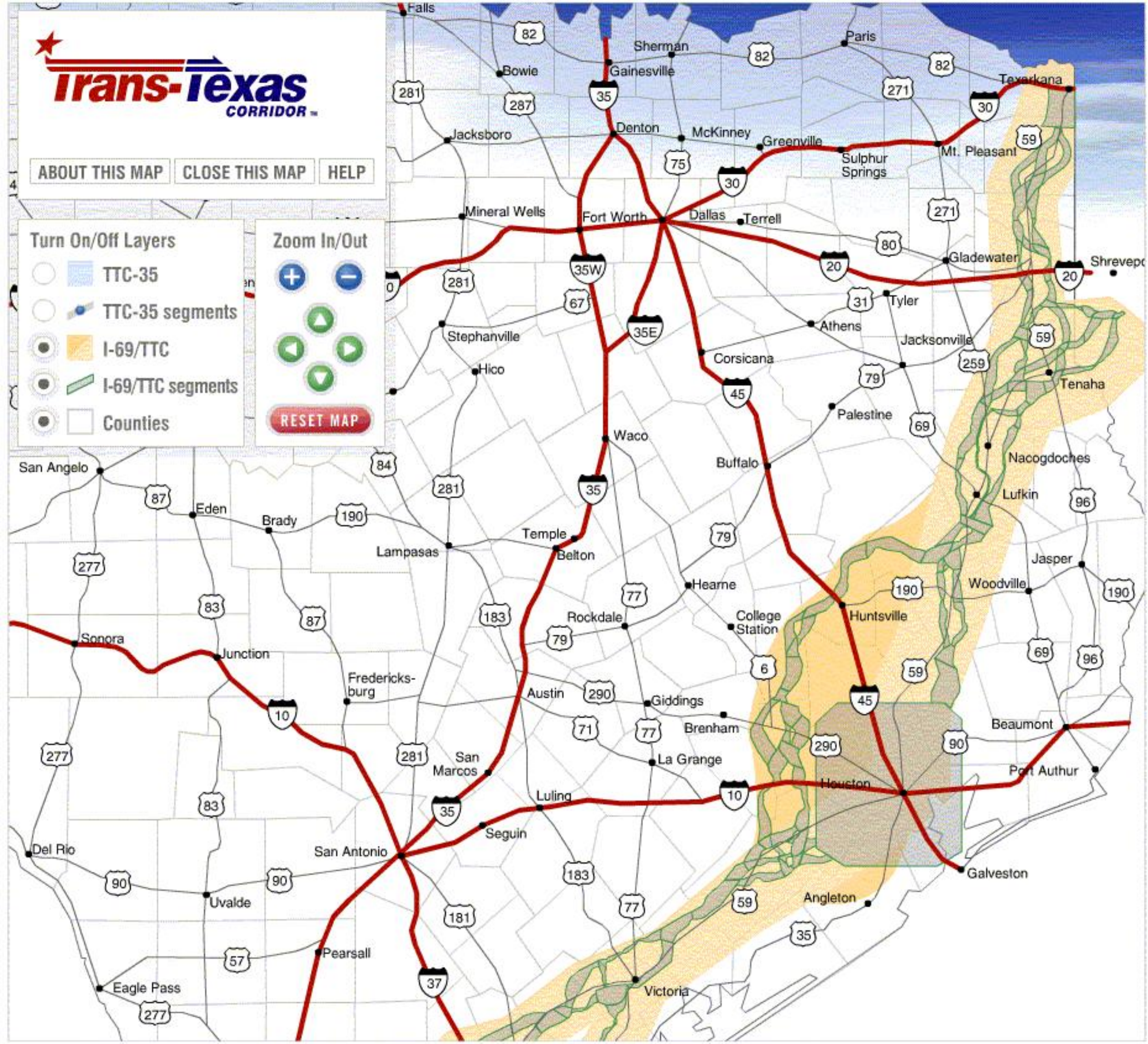
_____
CONNIE HOOKS, City Secretary

APPROVED:

_____
RON SILVIA, Mayor

APPROVED:

_____
City Attorney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CLOSE THIS MAP
HELP
Turn On/Off Layers
TTC-35
TTC-35 segments
I-69/TTC
I-69/TTC segments
Counties
Zoom In/Out
RESET MAP
Falls
Sherman
Paris
Bowie
Gainesville
Texarkana
Jacksboro
Denton
McKinney
Greenville
Sulphur Springs
Mt. Pleasant
Mineral Wells
Fort Worth
Dallas
Terrell
Gladewater
Shreveport
Tyler
Athens
Jacksonville
Stephanville
Hico
Corsicana
Tenaha
Palestine
Waco
Buffalo
Nacogdoches
Lufkin
San Angelo
Eden
Brady
Temple
Belton
Lampasas
Jasper
Woodville
Hearne
Rockdale
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Junction
Fredericks-burg
Austin
Giddings
Brenham
Beaumont
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Luling
Seguin
San Antonio
Del Rio
Uvalde
Galveston
Angleton
Pearsall
Eagle Pass
Victoria