



CITY OF COLLEGE STATION

Mayor
Ben White

Mayor ProTem

City Manager
Glenn Brown

Councilmembers
John Crompton
James Massey
Dennis Maloney
Katy-Marie Lyles
Lawrence Stewart
David Ruesink

Agenda
College Station City Council
Special Workshop Meeting
Monday, July 6, 2009 4:00 p.m.
City Hall Council Chambers, 1101 Texas Avenue
College Station, Texas

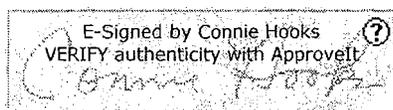
1. Call meeting to order.
2. Presentation, possible action, and discussion regarding the fee structure for services provided by the Planning & Development Services Department and the Public Works Department.
3. Presentation, possible action, and discussion regarding the requirements of the City's Rental Registration program as codified in Chapter 4, Section 19 of the Code of Ordinances for the City of College Station, TX.
4. Presentation, possible action, and discussion regarding exploration of available financing options for the City's planned convention center.
5. Adjourn.

APPROVED:

City Manager

Notice is hereby given that a Special Workshop Meeting of the City Council of the City of College Station, Texas will be held on the 6th day of July, 2009 at 4:00 pm in the City Hall Council Chambers, 1101 Texas Avenue, College Station, Texas. The following subjects will be discussed, to wit: See Agenda

Posted this 2nd day of July, 2009 at 3:00 pm



City Council Workshop Meeting
Monday, July 6, 2009
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 July 2, 2009 at 3:00 pm 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 _____, 2009.

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.

July 6, 2009
Workshop Agenda Item No. 2
Development Fee Review

To: Glenn Brown, City Manager

From: Bob Cowell, AICP, Director of Planning & Development Services

Agenda Caption: Presentation, possible action, and discussion regarding the fee structure for development review services provided by the Planning & Development Services Department and the Public Works Department.

Recommendation(s): Staff recommends the Council instruct staff to proceed with the adoption of the recommended fee schedule concurrent with the FY10 budget process.

Summary: During the preparation of the FY09 budget and again during the preliminary planning for the FY10 budget the City Manager and the City Council requested a review of current fees associated with building and development activities. Specifically, staff was requested to present information on current fee revenues and costs, compliance with Council established cost recovery policies, comparison to benchmark communities, and to make recommendations regarding revisions to the current fee structure.

In 2000, the City Council secured the services of DMG-Maximus, a private firm specializing in government finance and fee structures. The firm was requested to review the city fee structure and to make recommendations regarding revisions of the same. Among other recommendations, the study recommended increases in fees related to building and development activities. Though at the time Council approved a Resolution increasing the fees to result in 80% cost recovery over a multi-year phase-in, for the most part, only the first year's fee increases were enacted. With but a few exceptions fees for services related to building and development activities have remained at the same level since 2001.

Costs (personnel, postage, legal notice requirements, etc) have continued to increase during this timeframe, resulting in an ever-increasing subsidization of services through the general fund. The Council has had a long-standing policy regarding "User Based Fees and Service Charges" calling for a review of such fees at least every three years. Further, this policy classifies building and development fees as "full fee support", that establishes a policy of 80-100% cost recovery through fees.

The last comprehensive review of building and development fees was in 2001 with the DMG-Maximus study. Other discussions regarding fees have occurred with the planning of each budget, though no proposals for amending the development fee structure has been presented since 2003.

Staff has included information outlining the conclusions and recommendations of the DMG-Maximus study, historic information regarding development fees in College Station, estimates of current costs associated with building and development review, building and development fee structures for comparison and benchmark communities, and impact and revenue scenarios.

Budget & Financial Summary: See Attached

Attachments:

1. Recommended Building & Development Fee Schedule
2. 2001 DMG-Maximus report information
3. 2001 Council Resolution
4. Building & Development Cost and Revenue information
5. Building & Development Fee Schedules for Comparison and Benchmark Communities

Recommended Development Fee Schedule

| Case/Project Type | Current Fee | 100% Increase | Recommended Fee (80% Fee Recovery) |
|--|--|--|--|
| Planning Fees | | | |
| Administrative Adjustment | \$40 | \$80 | \$93 |
| Alternative Parking Plan | \$0 | \$0 | \$50 |
| Rezoning | \$500 | \$1,000 | \$1,165 |
| Comprehensive Plan Amendment | \$0 | \$0 | \$1,165 |
| Conditional Use Permit | \$500 | \$1,000 | \$1,165 |
| Preliminary Plat | \$400 + \$100 variance fee (if applicable) | \$800 + \$200 variance fee (if applicable) | \$932 + \$233 variance fee (if applicable) |
| DRB Application | \$150 | \$300 | \$350 |
| Development Plat | \$400 | \$800 | \$932 |
| Final Plat | \$400 | \$800 | \$932 |
| Final plat (minor or amending) | \$300 | \$600 | \$700 |
| Zoning Letter | \$40 | \$80 | \$93 |
| Site Plan | \$200 | \$400 | \$466 |
| Non-Residential Architectural (NRA) Review* | \$0 | \$0 | \$466 |
| Sign Permit | Permit fee + \$25 review fee | | \$72 permit fee + \$25 review fee |
| ZBA Application | \$150 | \$300 | \$350 |
| Written Interpretation | \$45 | \$90 | \$105 |
| License to Encroach | \$325 | \$650 | \$757 |
| PIP Permit | \$150 | \$300 | \$350 |
| Oil/Gas Permit | \$2,000 | \$4,000 | \$4,660 |
| ROW/Easement Abandonment | \$300 | \$600 | \$700 |

| Engineering fees | | |
|---|--|---|
| Project Type | Current Fee | Proposed Fee |
| Development Permit/ Infrastructure Inspection | \$200 + \$600 infrastructure fee (if applicable) | 1% of infrastructure cost (\$600 minimum) |

*Fee charged if review required independent of site plan (excludes projects involving painting only)

Options (Inclusive of Maximum Recommendations)

| Case/Project Type | Current Fee | 100% Increase | Recommended Fee (80% Fee Recovery) | Proposed Fee (2000 DMG-Maximus) 70% Fee Recovery | Proposed Fee (2000 DMG-Maximus) 100% Fee Recovery |
|---|--|--|--|--|---|
| Planning Fees | | | | | |
| Administrative Adjustment | \$40 | \$80 | \$93 | N/A | N/A |
| Alternative Parking Plan | \$0 | \$0 | \$50 | N/A | N/A |
| Rezoning | \$500 | \$1,000 | \$1,165 | \$1,556 | \$2,075 |
| Comprehensive Plan Amendment | \$0 | \$0 | \$1,165 | N/A | N/A |
| Conditional Use Permit | \$500 | \$1,000 | \$1,165 | \$1,434 | \$1,912 |
| Preliminary Plat | \$400 + \$100 variance fee (if applicable) | \$800 + \$200 variance fee (if applicable) | \$932 + \$233 variance fee (if applicable) | \$1,562 | \$2,083 |
| DRB Application | \$150 | \$300 | \$350 | \$563 | \$751 |
| Development Plat | \$400 | \$800 | \$932 | N/A | N/A |
| Final Plat | \$400 | \$800 | \$932 | \$1,455 | \$1,941 |
| Final plat (minor or amending) | \$300 | \$600 | \$700 | \$536 | \$715 |
| Zoning Letter | \$40 | \$80 | \$93 | \$77 | \$103 |
| Site Plan | \$200 | \$400 | \$466 | \$1,195 | \$1,594 |
| Non-Residential Architectural (NRA) Review* | \$0 | \$0 | \$466 | N/A | N/A |
| Sign Permit | Value based Permit fee + \$25 review fee | Varies | \$72 permit fee + \$25 review fee | \$74 permit fee + \$25 review fee | \$103 |
| ZBA Application | \$150 | \$300 | \$350 | \$800 | \$1,068 |
| Written Interpretation | \$45 | \$90 | \$105 | N/A | N/A |
| License to Encroach | \$325 | \$650 | \$757 | \$314 | \$419 |
| PIP Permit | \$150 | \$300 | \$350 | \$412 | \$549 |

Options (inclusive of Maximum Recommendations)

| | | | | | |
|---|--|---------|---|---------|---------|
| Oil/Gas Permit | \$2,000 | \$4,000 | \$4,660 | \$1,328 | \$1,771 |
| ROW/Easement Abandonment | \$300 | \$600 | \$700 | | \$518 |
| Engineering fees | | | | | |
| Project Type | Current Fee | | Proposed Fee | | |
| Development Permit/ Infrastructure Inspection | \$200 + \$600 infrastructure fee (if applicable) | | 1% of infrastructure cost (\$600 minimum) | | |

*Fee charged if review required independent of site plan (excludes projects involving painting only)

RESOLUTION NO. 8-23-2001-11.06

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COLLEGE STATION, TEXAS, SETTING FEES FOR DEVELOPMENT REVIEW APPLICATIONS

WHEREAS, the City Council of the City of College Station, Texas, establishes application fees for development review and related applications by resolution of the Council,

WHEREAS, the City of College Station has conducted a cost of service study to identify the cost of service for all development related reviews and an services:

WHEREAS, the schedule of fees in the attached Exhibit A provides for development application and related fees, now, therefore,

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

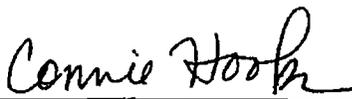
PART 1: That the City Council hereby approves and adopts the development fee schedule attached as Exhibit A.

PART 2 That the fees provided for in the attached Exhibit A shall take effect on December 1, 2001

ADOPTED this 23rd day of August, A.D. 2001

ATTEST

APPROVED:



CONNIE HOOKS, City Secretary



LYNN McILHANEY, Mayor

APPROVED



City Attorney

| Exhibit A | |
|--|--|
| Resolution No. 8-23-01-11.06 | |
| Case Type | Fee Effective December 1, 2001 |
| Site Plan | \$200 00 |
| Site Plan Amendment - Minor | \$200 00 |
| Master Plan | \$400 00 |
| Preliminary Plat | \$400 00 |
| Plat Amendment (Master, Preliminary & Final Plats) - Minor | \$220 00 |
| Final Plat | \$400 00 |
| Final Plat-Minor or amending | \$300 00 |
| Final Plat additional fee for public hearing | \$200 00 |
| Final Plat additional fee for multiple sheets | \$55 00 |
| Variance - Subdivision Regulations | \$100 00 |
| Public Infrastructure Plan Review & Inspection Fee | \$600 00 |
| Rezoning | \$500 00 |
| Rezoning - PDD w/ Concept Plan | \$500 00 |
| PDD Amendment - Staff Review Only | \$75 00 |
| PDD Amendment - P&Z or CC Review Only (no PH) | \$135 00 |
| CUP-Use Only | \$300 00 |
| CUP Site & Use | \$300 00 |
| CUP-IHDC | \$150 00 |
| CUP-Appeal P&Z's Decision to Council | \$195 00 |
| CUP-Time Extension (Staff Review Only) | \$60 00 |
| Zoning Board of Adjustment | \$150 00 |
| Drainage Dev't | \$200 00 |
| Lic to Encroach | \$325 00 |
| ROW/Easement Abandonment | \$300 00 |
| Oil & Gas Permit | \$2,000 00 |
| Oil & Gas Annual Renewal | \$300 00 |
| PIP Permits | \$150 00 |
| Spec Dist Review | \$200 00 |
| PRC Cases (Driveway variance, appeals, etc) | \$150 00 |
| Zoning Letters | \$40 00 |
| Freestanding Sign Permits- Plan Review for Zoning Requirements | \$25 00 |
| Request for extension - Master & Preliminary Plats | \$200 00 |
| Ordinance Amend Request to P&Z or CC | \$120 00 |
| Ordinance Amend - with Public Hearing | \$325 00 |
| Electrical Permits | \$37 00 + 2 cents per sq ft over 2000SF |
| Plumbing Permits | \$20 00 + \$4 00 per fixture \$24 00 + \$5 00 per \$1000 valuation |
| Mechanical Permits | \$20 00 |
| Irrigation Permits | \$27 00 |
| Reinspection Fee | \$480 00 |
| Construction Board of Appeals Variance | \$90 00 |
| Parade Permits | \$90 00 |

Planning Development Services Cost Estimates and Revenue Projections

| | | |
|-------------|--|-----------------|
| 2008 | Planning & Development Services | |
| | Development Costs | Revenues |
| | 1,587,267 | 1,087,805 |
| | Cost Recovery | |
| 68.53% | | |

| | |
|----------------------|-----------------|
| Engineering | |
| Costs | Revenues |
| 530,864 | 45,000 |
| Cost Recovery | |
| 8.48% | |

| | |
|---|--------|
| Planning & Development Cost Recovery | |
| With 133% increase | 80.00% |

| | |
|----------------------------------|-----------|
| Engineering Cost Recovery | |
| 1% of DP Valuation | 180,000 |
| With 1% increase | 34% |
| 2.5% of DP Valuation | \$450,000 |
| With 2.5% increase | 85% |

| Planning | No. of Projects | Revenue | Maximus @ 70% | Difference @ 70% | Maximus @ 100% | Difference @ 100% |
|----------------|-----------------|------------------|-------------------|---------------------|-------------------|---------------------|
| 2006 | 269 | \$ 82,155 | \$ 308,295 | \$ (226,140) | \$ 440,422 | \$ (358,267) |
| 2007 | 324 | \$ 90,725 | \$ 351,054 | \$ (260,329) | \$ 501,505 | \$ (410,780) |
| 2008 | 328 | \$ 78,065 | \$ 308,655 | \$ (230,590) | \$ 440,936 | \$ (362,871) |
| Average | 307 | \$ 83,648 | \$ 322,668 | \$ (239,020) | \$ 460,954 | \$ (377,306) |

Low Development Scenario (2009) Projected

Revenues

| No. of Projects | Current Fees | 133% Increase | Maximus @ 70% | Maximus @ 100% |
|-----------------|--------------|---------------|---------------|----------------|
| 300 | \$75,000 | \$174,750 | \$258,013 | \$368,590 |

High Development Scenario (2007) Projected Revenues

| No. of Projects | Current Fees | 133% Increase | Maximus @ 70% | Maximus @ 100% |
|-----------------|--------------|---------------|---------------|----------------|
| 324 | \$90,725 | \$211,389 | \$345,547 | \$493,639 |

(*) Includes plan review as well as inspection fee

| Schedule A | Schedule B | Flower Mound Rezoning Fees |
|-----------------|-------------|---|
| 3 acres or less | 0-5 acres | \$500 + \$25 per acre + \$80 Legal Notification fee + \$2.50 per property owner notified |
| 4-10 acres | 5-20 acres | \$750 + \$25 per acre + \$80 Legal Notification fee + \$2.50 per property owner notified |
| 11-20 acres | 20-50 acres | \$1000 + \$20 per acre + \$80 Legal Notification fee + \$2.50 per property owner notified |
| 21+ acres | 50+ acres | \$1250 + \$15 per acre + \$80 Legal Notification fee + \$2.50 per property owner notified |

| Schedule D | Schedule E | Carrollton Site Plan Fees (Multi-Family Only) |
|------------------|----------------|---|
| 0-5.99 acres | 0-5.99 acres | \$325 |
| 6-15.99 acres | 6-15.99 acres | \$520 |
| 16-99.99 acres | 16-99.99 acres | \$650 |
| 100-149.99 acres | 100+ acres | \$780 |
| 150-199.99 acres | | |
| 200+ acres | | |

| Schedule C | Carrollton Final Plat Fees | | | |
|-------------------------------------|----------------------------|---------------------|----------------|-----------------------|
| Residential except for Multi Family | 0-5.99 acres | \$390 + \$6 per lot | 0-5.99 acres | \$260 + \$40 per acre |
| | 6-15.99 acres | \$520 + \$6 per lot | 6-15.99 acres | \$390 + \$40 per acre |
| | 16-99.99 acres | \$650 + \$6 per lot | 16-99.99 acres | \$520 + \$40 per acre |
| | 100+ acres | \$780 + \$6 per lot | 100+ acres | \$650 + \$40 per acre |

| Schedule F | Norman Infrastructure Inspection Fees | |
|----------------------|---------------------------------------|----------|
| Cost of Construction | Fee | Maximum |
| Up to \$2,000 | 4.24% | \$84.80 |
| \$2,001 - \$5,000 | 3.60% | \$108.00 |
| \$5,001 - \$10,000 | 3.03% | \$151.50 |
| \$10,001 - \$25,000 | 2.47% | \$363.00 |
| \$25,001 - \$50,000 | 1.87% | \$455.00 |
| Over \$50,000 | 1.21% | N/A |

Scale is cumulative, with each tier of fees being added atop the last tier of fees.

July 6, 2009
Workshop Agenda Item No. 3
Rental Registration Discussion

To: Glenn Brown, City Manager

From: Bob Cowell, AICP, Director of Planning & Development Services

Agenda Caption: Presentation, possible action, and discussion regarding the requirements of the City's Rental Registration program as codified in Chapter 4, Section 19 of the Code of Ordinances for the City of College Station, TX

Recommendation(s): Staff requests that Council provide direction on any desired amendments to the Rental Registration requirements.

Summary: In 2008, staff presented the Strong & Sustainable Neighborhoods report and recommendations. This report was the culmination of the City's first effort at comprehensively addressing neighborhood integrity issues. This report (which involved significant community and stakeholder input) contained a series of recommendations, most of which have been implemented to date with successful results. One of the recommendations contained in the report was the establishment of a rental registration program for single family and duplex rental properties.

On December 16th, the City Council approved an Ordinance requiring the registration of all single-family and duplex rental properties, providing a definition of the same and various requirements. The effective date of the Ordinance was set at March 1st. Further, an enforcement grace period was granted until June of 2009. To date, more than 3,800 structures containing more than 5,100 dwelling units have been registered.

From its inception, objections have been raised by parties subject to the requirements of the Ordinance. The objections have centered around the following:

- General objection to the requirement to register any rental properties
- Objection to the fee (\$15 annual) requirement
- Objection to the required local point of contact (non-resident within 30 miles of City Hall)
- Objection to the inclusion of "parent-owned" homes in the definition of rental properties

In addition to the objections raised, Council and staff have received a number of contacts/messages in support (in some instances indications the ordinance is not comprehensive enough) of the current provisions and objection to any revisions.

At the June 11th meeting, the Council requested staff bring this item forward at a future workshop to discuss these objections and any action that should be taken.

Budget & Financial Summary: To date \$57,757 has been collected in revenues to defray the costs of this program.

Attachments:

1. Chapter 4, Section 19 of the Code of Ordinances – Rental Registration requirements

SECTION 19: RENTAL REGISTRATION OF SINGLE FAMILY AND DUPLEX DWELLING UNITS”

A. DEFINITIONS

- (1) Rental Property: - Any single family or duplex dwelling unit that is not owner occupied, regardless if rent is charged.
- (2) 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.
- (3) Single Family: - A residential unit providing complete, independent living facilities for one family including permanent provisions for living, sleeping, cooking, eating and sanitation.

B. REGULATIONS

- (1) Each owner and real estate manager of single family and duplex residential property that serves as rental property shall be required to annually register the property as well as upon any of the conditions listed below changing, with the City of College Planning and Development Services Department. The information required to register the property is as follows:
 - (a) Address of the rental property
 - (b) Owner and contact information for the owner.
 - (c) Type of property such as single family or duplex.
 - (d) Local contact person with contact information, in the case of an absentee owner. The local contact person cannot be someone who is listed on the lease. Local contact must reside within thirty (30) miles of the College Station City Hall.
 - (e) Names and contact information of all persons listed on the current lease shall be retained by the local contact person and shall be presented to the Administrator upon request.
 - (f) Other information as deemed necessary by the Administrator
- (2) A fee of Fifteen Dollars (\$15) shall be assessed at the time of registration.

July 6, 2009
Workshop Agenda Item No. 4
Convention Center Financing Options

To: Glenn Brown, City Manager

From: David Gwin, Director of Economic and Community Development

Agenda Caption: Presentation, possible action, and discussion regarding exploration of available financing options for the City's planned convention center.

Recommendation(s): N/A

Summary: Over the past few months, staff has been actively moving forward with the redevelopment of the Chimney Hill Shopping Center as the City's new convention center. Recent project accomplishments include:

- Staff assumed all property management responsibilities for the existing site and its six (6) tenants.
- Staff is working to stabilize the overall condition of the site and address several significant maintenance repairs to the facilities and grounds.
- A number of meetings have been held with various community stakeholders including the boards of the B/CS Convention and Visitors' Bureau and the Brazos Valley Lodging Association.
- A Request for Qualifications (RFQ) was released for a project design team and 15 submissions were received from numerous experienced and well-qualified firms.
- Staff has prepared and presented to Council preliminary cost estimates for the facility and continues to refine the numbers as new information is ready to be integrated into the process.
- The Texas State Legislature approved and Governor Perry signed into law a possible ¾% increase in the Hotel Occupancy Tax available to the City for this specific project.

At this point in the process, staff seeks feedback and direction from the Council in regards to the referred funding strategy for the facility and project. Staff will share several financing options with the City Council at the July 6th Special Workshop meeting.

Budget & Financial Summary: To be presented at the City Council's July 6th Workshop Meeting.

Attachments: N/A