

Table of Contents

Agenda	3
Item 2a - Minutes	
Coversheet revised	7
April 14 Workshop Minutes	8
April 14 Regular Meeting Minutes.	14
Item 2b - Contract Renewal for Crushed Stone	
Coversheet revised	20
Renewal Letter	21
Item 2c - Annual Price Agreement for Micro-Surfacing	
Coversheet revised	25
Resolution.	26
Item 2d - Project Number WF1325560 Barron Road Water Services Construction Contract	
Coversheet revised	27
Resolution.	28
Location Map	29
Item 2e - Castlegate II Subdivision, Section 200 – Water Oversize Participation Request	
Coversheet revised	30
Location Map	31
Ordinance.	32
Request Letter	46
Item 2f - Debt Reimbursement Resolution for 2008 GOB Projects – Lick Creek Nature Center and East District Maintenance Shop	
Coversheet revised	48
Resolution.	49
Item 2g - Acceptance of Engagement Letter to Provide Representation for a Joint Research Valley BioCorridor Development Project	
Coversheet revised	52
Attachment 1: Engagement Letter	53
Item 2h - Water Meter Purchase Contract	
Coversheet revised	55
Water Meter Price Quote	56
Item 2i - RadiolP upgrade in EnRoute	
Coversheet revised	59
Customer Order Form.	60
No. 1 - Public Hearing and Consideration of Budget Amendment # 2	
Coversheet revised	66
Ordinance.	67
No. 2 - Longmire Drive On-street Parking Removal	
Coversheet revised	68

Ordinance	70
Location Map	73
No. 3 - Impact Fees for Water/Wastewater	
Coversheet revised	74
No. 4 - 100 Graham Road Rezoning	
Coversheet revised	76
Background	79
Maps	80
P&Z Minutes	82
Ordinance	83
No. 5 - Rezoning for 3180 Cain Road	
Coversheet revised	86
Background	89
Maps	90
P&Z Minutes	92
Ordinance	94
No. 6 - Scott & White Rezoning	
Coversheet revised	101
Background	104
Maps	106
Ordinance	108
No. 7 - Rezoning for 1400, 1402, 1404, 1406, 1408, 1410, 1500, 1502, & 1504 Airline Drive	
Coversheet revised	143
Background	145
Maps	146
P&Z Minutes	148
Ordinance	149
No. 8 - Rock Prairie Marketplace Rezoning	
Coversheet revised	152
Background	156
Maps	157
Ordinance	159
No. 9 - UDO Amendment for Corridor Overlay Signage Requirements	
Coversheet revised	168
P&Z Minutes	169
Red-Lined Version	171
Ordinance	172
No. 10 - UDO Amendment to the Non-Residential Architecture Standards for Non-Residential Accessory Structures	
Coversheet revised	175
P&Z Minutes	176
Red-Lined Version of Ordinance	178
Ordinance	180



Mayor

Nancy Berry

Mayor Pro Tem

John Crompton

City Manager

David Neeley

Council members

Jess Fields

Dennis Maloney

Katy-Marie Lyles

Dave Ruesink

Jana McMillan

Agenda
College Station City Council
Regular Meeting
Thursday, April 28, 2011 at 7:00 PM
City Hall Council Chamber, 1101 Texas Avenue
College Station, Texas

1. Pledge of Allegiance, Invocation, Consider absence request.

Presentation:

- **Proclamation recognizing Kerry Maxwell for Water Operator of the Year.**
- **Proclamation recognizing National Bike Month**
- **Proclamation recognizing Patrick Reilly for donation of Vietnam War maquette.**

Hear Visitors: A 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 5:30 pm. Please limit remarks to three minutes. A timer alarm will sound after 2 1/2 minutes to signal thirty seconds remaining to 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. Comments should not personally attack other speakers, Council or staff.

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 state their name and address for the record and allowed three minutes. A timer will sound at 2 1/2 minutes to signal thirty seconds remaining for remarks.

2. Presentation, possible action and discussion of consent agenda items which consists of ministerial or "housekeeping" items required by law. Items may be removed from the consent agenda by majority vote of the Council.

a. Presentation, possible action, and discussion of minutes for April 14, 2011 Workshop and Regular Council Meeting.

- b. Presentation, possible action, and discussion regarding the renewal of Bid 10-44 with Brazos Site Works for crushed stone in an amount not to exceed \$162,919. The renewal includes an 8% increase, the maximum increase allowed by the contract.
- c. Presentation, possible action, and discussion regarding the approval of Bid 10-55 and the award of an annual price agreement for the installation of micro-surfacing to Viking Construction, Inc. in an amount not to exceed \$310,000.
- d. Presentation, possible action, and discussion on a Construction Contract with Kieschnick General Contractors, in the amount of \$139,787.50, for the construction of the Barron Road Water Services Project.
- e. Presentation, possible action, and discussion for Oversize Participation (OP) for a water line improvement in the Castlegate II Subdivision, Section 200 being made per City Code of Ordinances, Chapter 12, Unified Development Ordinance, Article 8, Subdivision Design and Improvements, Section 8.5, Responsibility for Payment for Installation Costs, Oversized Participation for a total requested City participation of \$29,730.00.
- f. Presentation, possible action, and discussion regarding approval of a “Resolution Declaring Intention to Reimburse Certain Expenditures with Proceeds from Debt” for expenditures related to projects authorized as part of the 2008 General Obligation Bond (GOB) package, specifically the Lick Creek Nature Center and East District Maintenance Shop.
- g. Presentation, possible action, and discussion regarding the authorization of the City Manager to accept an Engagement Letter from the law firm of Nichols, Jackson, Dillard, Hager & Smith to represent the Cities of College Station and Bryan in regards to the Joint Research Valley BioCorridor Development Project; and consideration of a General Fund Contingency transfer in the amount of \$16,000.00.
- h. Presentation, possible action, and discussion regarding the approval of the water meter purchase contract with Aqua-Metric Sales Company for the amount of \$63,024.00.
- i. Presentation, possible action, and discussion regarding approval of a supplement to the original contract with EnRoute Public Safety, purchasing services to upgrade the RadioIP software for the Public Safety Systems for an amount not to exceed \$10,950.

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 will sound at 2 1/2 minutes to signal thirty seconds remaining for 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 at 2 1/2 minutes to signal thirty seconds remaining to conclude 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.

1. Public Hearing, presentation, possible action, and discussion on an ordinance Budget Amendment #2 amending ordinance number 3290 which will amend the budget for the 2010-2011 Fiscal Year in the amount of \$1,600,000.
2. Public Hearing, presentation, possible action and discussion of an ordinance amending Chapter 10 "Traffic Code", to remove parking along the east side of Longmire Drive between FM 2818 and Valley View Drive and on Valley View Drive west of the Longmire intersection.
3. Public Hearing, presentation, possible action, and discussion regarding the possible implementation of "system capacity" impact fees for Water and Wastewater.
4. Public Hearing, presentation, possible action, and discussion regarding an amendment to Chapter 12, "Unified Development Ordinance," Section 4.2, "Official Zoning Map" of the Code of Ordinances of the City of College Station, Texas by rezoning 1.70 acres located at 100 Graham Road near the intersection of Graham Road and F.M. 2154 from M-1 Light Industrial to C-3 Light Commercial.
5. Public Hearing, presentation, possible action and discussion regarding a Rezoning for 3180 Cain Road of 19.575 acres from A-O Agricultural Open to C-1 General Commercial, R-3 Townhouse and R-4 Multi-Family located at 3180 Cain Road and more generally located west of the intersection of Old Wellborn Road and Cain Road.
6. Public Hearing, presentation, possible action, and discussion regarding an amendment to Chapter 12, "Unified Development Ordinance," Section 4.2, "Official Zoning Map" of the Code of Ordinances of the City of College Station, Texas by rezoning 37.12 acres located at 3210 Rock Prairie Road, from PDD Planned Development District to PDD Planned Development District to modify standards for the development of a hospital and clinic.
7. Public Hearing, presentation, possible action, and discussion regarding an amendment to Chapter 12, "Unified Development Ordinance", Section 4.2, "Official Zoning Map" of the Code of Ordinances of the City of College Station, Texas by rezoning 2.2257 acres located at 1400, 1402, 1404, 1406, 1408, 1410, 1500, 1502, & 1504 Airline Drive from C-1 General Commercial and R-6 High Density Multi-Family to R-6 High Density Multi-Family.
8. Public Hearing, presentation, possible action, and discussion regarding an amendment to Chapter 12, "Unified Development Ordinance," Section 4.2, "Official Zoning Map" of the Code of Ordinances of the City of College Station, Texas by rezoning Lot 1, Block 1 of the Rock Prairie Marketplace Subdivision, being 9.014 acres located at 2000 Rock Prairie Road, from C-1 General Commercial to PDD Planned Development District.
9. Public Hearing, presentation, possible action, and discussion on an ordinance amendment to Chapter 12 "Unified Development Ordinance," Section 5.8.A(2) "Corridor Overlay District, Signs" specifically related to sign requirements.

10. Public Hearing, presentation, possible action, and discussion on an ordinance amendment to Chapter 12 “Unified Development Ordinance,” Section 7.9.B.2 “Building Mass and Design,” of the College Station Code of Ordinances, specifically related to architecture standards for non-residential accessory structures.

11. Adjourn.

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

APPROVED:

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, April 28, 2011 at 7:00 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 21st day of April, 2011 at 5:00 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 April 21, 2011 at 5:00 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 _____, 2011 By _____

Subscribed and sworn to before me on this the ____ day of _____, 2011.

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.

April 28, 2011
City Council Consent Agenda Item No. 2a
City Council Minutes

To: David Neeley, City Manager

From: Sherry Mashburn, City Secretary

Agenda Caption: Presentation, possible action, and discussion of minutes for April 14, 2011 Workshop and Regular Council Meeting.

Attachments:

- April 14, 2011 Workshop Minutes
- April 14, 2011 Regular Minutes

MINUTES OF THE CITY COUNCIL WORKSHOP
CITY OF COLLEGE STATION
APRIL 14, 2011

STATE OF TEXAS §
 §
COUNTY OF BRAZOS §

Present:

Nancy Berry

Council:

John Crompton
Jess Fields
Dennis Maloney
Katy-Marie Lyles
Jana McMillan
Dave Ruesink

City Staff:

David Neeley, City Manager
Kathy Merrill, Assistant City Manager
Carla Robinson, City Attorney
Sherry Mashburn, City Secretary
Tanya McNutt, Deputy City Secretary

Call to Order and Announce a Quorum is Present

With a quorum present, the Workshop of the College Station City Council was called to order by Mayor Nancy Berry at 3:00 p.m. on Thursday, April 14, 2011 in the Council Chambers of the City of College Station City Hall, 1101 Texas Avenue, College Station, Texas 77842.

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

Items 2b, 2c, and 2d were pulled from the Consent Agenda.

2b: David Gwin, Director of Economic Development, explained the amendment to bury the overhead lines was expected and stated it was in the City's long-term vision. Scott and White will pay \$1.2 million for any additional cost to bury the lines, and the City will bear the cost of the bore under State Highway 6 in the amount of \$77,000. This will set the tone for burying the lines in that general area. There is no requirement for Scott and White to bury the lines, but it is in the City's long-term interest. BTU lines will be conjoined with College Station's lines as well.

2c: David Gwin, Director of Economic Development, stated this property was purchased under a previous program. The home is estimated at \$130,000 and is comparable to homes being built in that neighborhood. A family of four with an income of \$40,000 could qualify for that home.

2d: David Gwin, Director of Economic Development, stated the cap is a backhand cap under HUD guidelines. The number moves. The current maximum value of a house purchased under FHA is \$190,000. The price of our market has gone up so much, and we have not adjusted that number. When a house is sold, the city is repaid; it is no longer a forgivable loan.

2. Presentation, possible action, and discussion regarding a summary of the current status of the capital projects included in the City's FY 2011 Capital Plan. Staff is seeking direction on two projects included in the FY 2011 Capital Plan – Lick Creek Nature Center and East District Maintenance Shop.

Chuck Gilman, Director of Capital Projects, updated the council on the FY2011 capital projects. The capital plan consists of projects included in the 2008 bond authorization and projects identified by staff. The planning process begins in October and is typically completed in July. At the June 17, 2010 Council Retreat, the O&M cost for projects was discussed. It was decided to defer those projects with a high O&M. He reminded Council that they had approved a debt reimbursement resolution at the February 24 meeting. Staff reviews the projects and estimates what they think they will spend over a twelve-month period. Staff has proceeded with the implementation plan approved by Council last summer. They issued an RFQ for projects scheduled to begin in FY 2011. They have received numerous Statements of Qualification for the Lick Creek Nature Center and the East District Maintenance Shop. Staff is seeking direction on whether to proceed with these two projects.

MOTION: Upon a motion made by Councilmember Fields and a second by Councilmember Ruesink, the City Council voted six (6) for and one (1) opposed, to include these two projects in the FY 2011 Capital Plan. The motion carried.

3. Presentation, possible action, and discussion regarding approval of resolutions awarding landscape maintenance contracts to multiple vendors in a total amount of \$453,254, and approval of a budget transfer from the Parks and Recreation Department to the Public Works Department of \$26,350 and the transfer of three positions from the Parks and Recreation Department to the Public Works Department including salary and benefits for half a year totaling \$57,392.

Chuck Gilman, Director of Capital Projects, and David Schmitz, Assistant Director of Parks and Recreation, reported that in 2009 the sum of all landscape maintenance contracts was \$497,000. They reduced operating expenses in 2010 to \$443,000 through the elimination of pre/post emergence on turf, and eliminating fertilization and aeration. In an effort to revise their approach to landscape maintenance six vacant landscape positions were eliminated in the 2011 budget. After other minor adjustments, \$578,000 was budgeted. Currently, Public Works manages the landscape maintenance contracts. They have dedicated two irrigation specialists to city irrigation systems at city facilities and in the right of way; two more irrigation specialists were dedicated to city irrigation systems at city athletic fields and park facilities. They will

provide pre/post emergence in beds, but not turf; they will provide additional services as bid alternatives. They have reduced base cuts to eighteen per year, with ten optional cuts if necessary. An RFP was issued for all landscape maintenance (except athletic fields) even those services historically done in-house so the proposals can be compared to city costs. The benefits of this revised approach include a reduction in operating costs, with an increased level of service in neighborhood parks. They have been able to add twenty-six neighborhood parks to the contract and increased the level of service at each of these facilities with the eighteen cuts and ten additional cuts available. This allows existing park staff to focus more on the maintenance of assets in the parks such as water fountains, fences, and play structures. PARD staff is more available to further assist with tournaments and special events that bring tourism to College Station. Proposal categories were divided into seven categories: neighborhood parks, facilities, electric, water/wastewater, economic and community development, right of way finish mowing, and right of way rough cut mowing. Three of the six landscape maintenance positions eliminated in FY 2011 were public works positions. PARD currently has three vacant landscape maintenance positions. Staff is recommending transferring these positions from PARD to public works. Currently, they are \$125,000 under budget.

MOTION: Upon a motion made by Councilmember Maloney and a second by Councilmember Lyles, the City Council voted seven (7) for and none (0) opposed, to adopt resolutions awarding landscape maintenance contracts to multiple vendors in a total amount of \$453,254, and approval of a budget transfer from the Parks and Recreation Department to the Public Works Department of \$26,350 and the transfer of three positions from the Parks and Recreation Department to the Public Works Department including salary and benefits for half a year totaling \$57,392. The motion carried unanimously.

- Resolution 04-14-11-03: approving a contract with Green Teams, Inc. and authorizing the expenditure of funds for landscape maintenance of City facilities.
- Resolution 04-14-11-03-a: approving a contract with Landscape USA and authorizing the expenditure of funds for landscape maintenance of City facilities.
- Resolution 04-14-11-03-b: approving a contract with Rainbow Gardens and authorizing the expenditure of funds for landscape maintenance of City facilities.
- Resolution 04-14-11-03-c: approving a contract with Jones Lawn Care and authorizing the expenditure of funds for landscape maintenance of City facilities.
- Resolution 04-14-11-03-d: approving a contract with Pro-Green Landscape and authorizing the expenditure of funds for landscape maintenance of City facilities.

4. Presentation, possible action, and discussion on the scope of the Citizens Charter Review Commission and provide direction regarding the charter revisions to be reviewed.

This item was not discussed.

5. Presentation, possible action, and discussion of city procedures and requirements for locating a cellular tower on city property.

Ben Roper, IT Director, reported there are currently no cell towers located on city property. The City has been working with a provider. The Council adopted a policy regarding providers

locating on City property. The City has two roles, as a regulator and as a lessor. Planning and Development is responsible for the zoning and permitting process. The provider must follow the UDO. IT negotiates the lease of city facilities, and Council approves each on a case-by-case basis. Rent will be based upon various factors.

6. Council Calendar

- **April 15 Ribbon Cutting-New Whataburger-Hwy. 6/Wm. D. Fitch at 10:00 a.m.**
- **April 18 IGC Meeting at BVCOG, 12:00 p.m.**
- **April 21 Planning & Zoning Commission Meeting in Council Chambers at 4:00 p.m.**
- **April 21 Joint Meeting-City Council and Planning and Zoning Commission in Council Chambers at 4:00 p.m.**
- **April 22 City Offices Closed – HOLIDAY**
- **April 28 City Council Workshop/Regular Meeting at 3:00p.m. and 7:00 p.m.**

Mayor Berry reported the Sister Cities delegation will be arriving tomorrow. A Tail Gate party is scheduled for Saturday, April 16, at 11 a.m. There will be a Welcome Dinner that evening at the Higgins residence, and the Farewell Dinner will be on Tuesday, April 26, at the Outback Steak House.

7. 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.

There were no future agenda items.

8. Discussion, review and possible action regarding the following meetings: Animal Shelter Board, Arts Council of the Brazos Valley, Audit Committee, Bicycle, Pedestrian, and Greenways Advisory Board, Brazos County Health Dept., Brazos Valley Council of Governments, Brazos Valley Wide Area Communications Task Force, BVSWMA, BWWACS, Cemetery Committee, Code Review Committee, Design Review Board, Historic Preservation Committee, Interfaith Dialogue Association, Intergovernmental Committee, Joint Relief Funding Review Committee, Landmark Commission, Library Board, Mayor's Council on Physical Fitness, Mayor's Development Forum, Metropolitan Planning Organization, National League of Cities, Outside Agency Funding Review, Parks and Recreation Board, Planning and Zoning Commission, Research Valley Partnership, Regional Transportation Committee for Council of Governments, Signature Event Task Force, Sister City Association, TAMU Student Senate, Texas Municipal League, Transportation Committee, Wolf Pen Creek Oversight Committee, Zoning Board of Adjustments.

Councilmember Money reported on the Bicycle, Pedestrian and Greenways Advisory Board discussed charging a fee for bicyclists to use bike paths, and it was determined it was not feasible. The Bike Race scheduled for May is receiving lots of registrants, and it appears the race will be a success.

Councilmember Lyles reported the Health Board evaluated the Health Director, and he received a high evaluation. The Arts Council unveiled their benches. This is a great example of them raising their own funds.

Mayor Berry reported the MPO did not meet this month. She asked that anyone with available seats for leadership training contact Alison Seals.

9. Executive Session

In accordance with the Texas Government Code §551.071-Consultation with Attorney, and §551.087-Deliberation Regarding Economic Development Negotiations, the College Station City Council convened into Executive Session at 5:02 p.m. on Thursday, April 14, 2011 in order to continue discussing matters pertaining to:

A. Consultation with Attorney to seek advice regarding pending or contemplated litigation; to wit:

- City of Bryan's application with TCEQ for water & sewer permits in Westside/Highway 60 area, near Brushy Water Supply Corporation to decertify City of College Station and certify City of Bryan
- Clancey v. College Station, Glenn Brown, and Kathy Merrill
- Rachel Rahn v. Alma Martinez, The Arkitex Studio, Inc. et al, cause No. 09-000656-CV361
- Weingarten Realty Investors v. College Station, Ron Silvia, David Ruesink, Lynn McIlhaney, and Ben White
- Chavers et al v. Tyrone Morrow, Michael Ikner, City of Bryan, City of College Station, et al
- Water CCN / 2002 Annexation / Wellborn Water Supply Corporation

B. Consultation with Attorney to seek legal advice; to wit:

- Legal issues regarding possible revenue sharing and legislation in bio-corridor
- Legal Issues Related to Wellborn Annexation

C. Deliberation regarding economic development negotiations; to wit:

- Blinn College

The Executive Session adjourned at 7:00 p.m. on Thursday, April 14, 2011.

No action was required from Executive Session.

10. Adjournment

MOTION: There being no further business, Mayor Berry adjourned the workshop of the College Station City Council at 7:00 p.m. on Thursday, April 14, 2011.

Nancy Berry, Mayor

MINUTES OF THE REGULAR CITY COUNCIL MEETING
CITY OF COLLEGE STATION
APRIL 14, 2011

STATE OF TEXAS §
 §
COUNTY OF BRAZOS §

Present:

Nancy Berry

Council:

John Crompton
Jess Fields
Dennis Maloney
Katy-Marie Lyles
Jana McMillan
Dave Ruesink

City Staff:

David Neeley, City Manager
Kathy Merrill, Assistant City Manager
Carla Robinson, City Attorney
Sherry Mashburn, City Secretary
Tanya McNutt, Deputy City Secretary

Call to Order and Announce a Quorum is Present

With a quorum present, the Regular Meeting of the College Station City Council was called to order by Mayor Nancy Berry at 7:11 p.m. on Thursday, April 14, 2011 in the Council Chambers of the City of College Station City Hall, 1101 Texas Avenue, College Station, Texas 77842.

1. Pledge of Allegiance, Invocation, consider absence request.

Mayor Berry presented a proclamation recognizing Lemonade Day.

• **Citizen Comments**

There were no Citizen Comments.

CONSENT AGENDA

2a. Presentation, possible action, and discussion of minutes for March 22, 2011 Executive Session and Special Meeting and March 24, 2011 Workshop and Regular Council Meeting.

2b. Presentation, possible action, and discussion regarding an amendment to the existing Economic Development Agreement between the City and Scott & White Healthcare.

2c. Presentation, possible action, and discussion regarding a Resolution approving a conveyance agreement to transfer ownership of 6810 Appomattox, an undeveloped property, to Brazos Valley Community Action Agency.

2d. Presentation, possible action, and discussion regarding the proposed changes to the City's Down-Payment Assistance Program (DAP) Guidelines.

2e. Presentation, possible action, and discussion on the rejection of RFP #11-36, Retail Commercial Lease Space Opportunity in the Chimney Hill Shopping Center, specifically the wooden kiosk previously occupied by Shakes.

2f. Presentation, possible action and discussion regarding the extension of an Interlocal Agreement with the Texas A&M University Department of Atmospheric Sciences through December 31, 2011 for an air quality monitoring station located in Lick Creek Park.

2g. Presentation, possible action and discussion regarding the approval of Resolution 04-14-11-2g, participating in a Clinical Affiliation Agreement with the College Station Medical Center for the Emergency Medical Services Program.

2h. Presentation, possible action and discussion regarding the approval of Resolution 04-14-11-2h, updating the Interlocal Agreement for Emergency Medical Ambulance Service to respond to emergencies in Brazos County and to establish the annual fee for FY 2011 at \$216,230.

2i. Presentation, possible action, and discussion regarding amending the Interlocal Agreement (ILA) with the College Station Independent School District (CSISD) regarding School Resource Officers (SRO).

2j. Presentation, possible action, and discussion recommending approval for the water meter purchase contract with Aqua-Metric Sales Co. for the amount of \$149,432.70.

Items 2b, 2c, 2d, and 2g were pulled from the Consent Agenda.

MOTION: Upon a motion made by Councilmember Crompton and a second by Councilmember Maloney, the City Council voted seven (7) for and none (0) opposed, to approve the Consent Agenda, less items 2b, 2c, 2d, and 2g. The motion carried unanimously.

(2b)MOTION: Upon a motion made by Councilmember Crompton and a second by Councilmember Lyles, the City Council voted six (6) for and one (1) opposed, with Councilmember Fields voting against, to approve an amendment to the existing Economic Development Agreement between the City and Scott & White Healthcare. The motion carried.

(2c)MOTION: Upon a motion made by Councilmember Crompton and a second by Councilmember Fields, the City Council voted seven (7) for and none (0) opposed, to table this item until a later time. The motion carried unanimously.

(2d)MOTION: Upon a motion made by Councilmember Crompton and a second by Councilmember Lyles, the City Council voted four (4) for and three (3) opposed, with Mayor Berry and Councilmembers Fields and McMillan voting against, to approve changes to the City's Down-Payment Assistance Program (DAP) Guidelines. The motion carried.

(2g)MOTION: Upon a motion made by Councilmember Crompton and a second by Councilmember Maloney, the City Council voted six (6) for and none (0) opposed, with Mayor Berry abstaining, to adopt Resolution 04-14-11-2g, to participate in a Clinical Affiliation Agreement with the College Station Medical Center for the Emergency Medical Services Program. The motion carried.

REGULAR AGENDA

1. Public Hearing, presentation, possible action, and discussion regarding Ordinance 2011-3332, amending Chapter 12, "Unified Development Ordinance," Section 4.2, "Official Zoning Map" of the Code of Ordinances of the City of College Station, Texas by rezoning Lot 14, Block 3 of the Hrdlicka Subdivision, being 0.22 acres located at 1013 Eleanor Street, from R-1 Single-Family Residential to PDD Planned Development District for a community services center.

At approximately 7:34 p.m. Mayor Berry opened the Public Hearing.

Jason Fikes, 1309 Danville Court, expressed his appreciation of the staff and the P&Z. He also stated his thanks to the friends in the Lincoln Center community who have accepted them. The work that is being done is significant, and he is glad staff and P&Z can see this as well. The three-year time window to provide a pitched roof is a challenging requirement to meet. The current building is a temporary structure, and they envision a more permanent structure as the ministry grows. Aesthetics do matter and contribute to neighborhood integrity, but the neighborhood is better served with GED's, groceries, and other tangibles. A 4:1 pitched roof is not their strength. It is important to move ahead.

There being no further comments, the Public Hearing was closed at 7:40 p.m.

MOTION: Upon a motion made by Councilmember Fields and a second by Councilmember McMillan, the City Council voted two (2) for and five (5) opposed, with Mayor Berry and Councilmembers Crompton, Maloney, Lyles and Ruesink voting against, to adopt Ordinance 2011-3332, amending Chapter 12, "Unified Development Ordinance," Section 4.2, "Official

Zoning Map” of the Code of Ordinances of the City of College Station, Texas by rezoning Lot 14, Block 3 of the Hrdlicka Subdivision, being 0.22 acres located at 1013 Eleanor Street, from R-1 Single-Family Residential to PDD Planned Development District for a community services center, removing the requirement for a pitched roof. The motion failed.

MOTION: Upon a motion made by Councilmember Maloney and a second by Councilmember Fields, the City Council voted seven (7) for and none (0) opposed, to adopt Ordinance 2011-3332, amending Chapter 12, “Unified Development Ordinance,” Section 4.2, “Official Zoning Map” of the Code of Ordinances of the City of College Station, Texas by rezoning Lot 14, Block 3 of the Hrdlicka Subdivision, being 0.22 acres located at 1013 Eleanor Street, from R-1 Single-Family Residential to PDD Planned Development District for a community services center. The motion carried unanimously.

2. Presentation, possible action, and discussion regarding three non-annexation development agreements associated with the Wellborn annexation.

MOTION: Upon a motion made by Councilmember Maloney and a second by Councilmember Crompton, the City Council voted six (6) for and one (1) opposed, with Councilmember Fields voting against, to approve three non-annexation development agreements associated with the Wellborn annexation, contingent upon annexation of the proposed area. The motion carried.

3. Presentation, possible action, and discussion regarding Ordinance 2011-3331 annexing approximately 649 acres located in the ETJ on the southwest side of the City generally known as the Wellborn area.

Mayor Berry allowed a total of ten minutes for persons within the proposed annexation area to speak.

Mike McCleary, 3649 Barron Cutoff, Wellborn, stated he was speaking on behalf of the citizens of College Station and Wellborn as well. He asked the Council to table this item in order to do a more complete study to determine the true cost of services to Wellborn. Citizens of Wellborn don’t want to be annexed into College Station, and many College Station residents do not want to annex Wellborn. This should be decided by a vote of the people. The sewer main on Wellborn Road will cost \$3.3 million. 160 people cannot pay for that. College Station residents will have to pay. This will create an inflation of property taxes. Wellborn has a little over two miles of dirt roads, which means the City will have to mow bar ditches, pick up trash, and maintain the fence line. College Station started maintenance on the road on Monday this week. He observed two tractors, three riding lawn mowers, two people on weed eaters, and six people picking up trash. These little expenses add up. He bought diesel this morning and paid \$150 to fill his truck. It is harder for people to make ends meet. The cost of living is going up, and the economy is getting harder for governmental entities and citizens alike. When College Station residents find out how much it will cost to get service to Wellborn, they will not want to annex. It makes more sense to put this to a vote and allow citizens to vote on this.

Linda Hale, Cheyenne, reported on the myths regarding the annexation of Wellborn, first being it will stop the growth of College Station and will cause chaos between the two. However, working

together and recognizing the uniqueness will bring the two cities closer. Another myth is there will not be a cost to College Station residents, but there are widely divergent estimates of how much this will cost. College Station residents will not profit from this. The statement that Wellborn was not willing to bring a new map is a myth. There were two maps, a large one and a small one. They asked the Council for input on a map and did not get any. It has been said Wellborn has done nothing to incorporate in the past. She stated they were asking for help and have been pursuing incorporation since 2008. They believed previous councils when they were told not to worry about it. Another myth is that Wellborn citizens do not want to create their own city. In her neighborhood, 14 out of 17 households want to incorporate. The council only represents the citizens of College Station, but the purpose of a municipal ETJ is to protect the health, safety, and welfare of the citizens and those residing in the ETJ.

The ten minute period being over, Carol Fountain (14380 Cheyenne) and Jane Cohen (3655 McCullough) did not speak.

The following individuals provided written comments in opposition to the annexation, attached to the minutes:

Greg Taylor
Mary Ann Nagyvary
Robert Cohen
Jane Cohen
Lisa Cantrell
Alan Smith
Hugo Hein
Aubrey Harmel
Vicki Franze
Michael McCleary
Carol Fountain
Lynn Ruoff
Martha Royder
Tammy Holsinger
Mike Fulfer
Jordan Denning
Gloria Johnson
Melissa Ambler
Lonnie Simpson
Lena Stone
Terri Gerst

Don Gain
Joseph Nagyvary
Robert Fountain
Elaine Miller
Bette Smith
Jan Collins
Dolores Hein
Linda Hale
Marilyn Greene
Mary Walker
Mark Lucy
Cherie Veuzey
Donald Royder
Amanda Boone
Karen Fulfer
Jose Luis Guerrero
Bob Johnson
Andrew Daily
Tommie Chanbes
Elizabeth Terry
Laura King

JoLeigh Turner
Dan Hale
Lois Rockwell
Billy Miller
Todd Cantrell
Rabevra Ofczarzak
Evelyn Harmel
Keith Franze
David Royder
Kim Tarr
Ronald Hall
Ynosensio Rangel
Robert Holsinger
Justin Lagan
Chelsea Denning
James Ellis
Darrell Ambler
Bonita Simpson
Reinald Browder
Mike Gerst

MOTION: Upon a motion made by Councilmember Crompton and a second by Councilmember Maloney, the City Council voted five (5) for and two (2) opposed, with Councilmembers Fields and McMillan voting against, to adopt Ordinance 2011-3331 annexing approximately 649 acres located in the ETJ on the southwest side of the City generally known as the Wellborn area. The motion carried.

4. Adjournment.

MOTION: Upon a motion made by Councilmember Maloney and a second by Mayor Berry, the City Council voted seven (7) for and none (0) opposed, to adjourn the Regular Meeting of the City Council at 9:56 p.m. on Thursday, April 14, 2011. The motion carried unanimously.

Nancy Berry, Mayor

ATTEST:

Sherry Mashburn, City Secretary

DRAFT

April 28, 2011
Consent Agenda Item No. 2b
Contract Renewal for Crushed Stone

To: David Neeley, City Manager

From: Chuck Gilman, P.E., Public Works Director

Agenda Caption: Presentation, possible action, and discussion regarding the renewal of Bid 10-44 with Brazos Site Works for crushed stone in an amount not to exceed \$162,919. The renewal includes an 8% increase, the maximum increase allowed by the contract.

Relationship to Strategic Goals: Financially Sustainable City Providing Response to Core Services and Infrastructure – Spending taxpayer money efficiently.

Recommendation(s): Approval of the renewal agreement.

Summary: The current agreement for 2010 is to not exceed \$150,850. The contract and City Purchasing procedures allow for up to an 8% increase in the amount of the original contract amount. This is the first renewal for this contract which allows for two renewals (a maximum of three years). If the contract is approved with the 8% increase this year, then an additional increase will not be permitted in the future.

Brazos Site Works agrees to renew the purchase agreement for an additional year with the 8% increase to \$162,919. Based on our review of industry price increases, staff concluded that the 8% price increase is reasonable.

Crushed stone products are used by several City Departments. The Street and Drainage Division uses crushed stone to repair roadway base failures and for street reconstruction. College Station Utilities relies on this material to maintain the gravel roads leading to sites such as substations and water wells, which are required to be accessible in all weather conditions. Also, gravel is used to backfill the excavations created when making point repairs to utilities beneath sidewalks and roadway pavement. Crushed gravel is an essential material for several critical City operations, and since Brazos Site Works' performance has been good, and their price is reasonable, staff recommends renewal of the contract.

Budget & Financial Summary: Funds to purchase crushed stone are budgeted and available in the General and Utilities Funds with the Operations Budgets.

Attachments:

1. Renewal Letter

RENEWAL ACCEPTANCE

By signing herewith, I acknowledge and agree to renew bid No. 10-44 crushed stone in accordance with all terms and conditions previously agreed to and accepted including a proposed 8% across the board increase due to increased material and delivery costs for fuel.

I understand this renewal term will be for a one year period beginning April 12, 2011 through April 11, 2012 and with the 8% increase, the new total amount of the contract is \$162,919.00 (One hundred sixty two thousand nine hundred eighteen and no/100).

BRAZOS SITE WORKS



AUTHORIZED REPRESENTATIVE

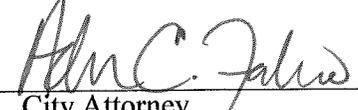
4-4-11

DATE

APPROVED:

City Manager

DATE



City Attorney

DATE

Chief Financial Officer

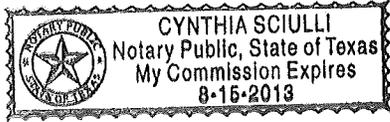
DATE

STATE OF TEXAS

CORPORATE ACKNOWLEDGMENT

COUNTY OF BRAZOS

This instrument was acknowledged on the 4th day April, 2011,
by Gordon Klinkworth in his/her capacity as Manager of
Bugs Site Work, on behalf of said corporation.



Cynthia Sciulli
Notary Public in and for the
State of Texas

STATE OF TEXAS

ACKNOWLEDGMENT

COUNTY OF BRAZOS

This instrument was acknowledged on the _____ day of _____, 2011,
by _____, in his/her capacity as City Manager 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



CITY OF COLLEGE STATION

*1101 Texas Avenue
College Station, TX 77840
www.cstx.gov*

**ANNUAL PRICE AGREEMENT
AND
SPECIFICATIONS
FOR CRUSHED STONE AND LIMESTONE
BID #10-44**

BID OPENING DATE: MARCH 17, 2010 @2:00 P.M. CST

Bids will be received at the City of College Station Purchasing Department, 1101 Texas Avenue, College Station, TX 77842, until March 17, 2010, at 2:00 p.m. CST, and publicly opened and read aloud at City Hall, 1101 Texas Avenue, College Station, TX. Any questions concerning the bid should be directed to Cynthia Sciulli, C.P.M., Buyer, Purchasing Services Division, (979) 764-3437. **Clearly mark return bid envelope with Bid # and Bid Opening Date.**

INTRODUCTION

Bids are solicited for crushed stone and limestone materials for BVWSMA landfill, the Public Works Streets Department, and Public Utilities with the following definitions, term and conditions of bidding. Should this bid contain the City's standard contract terms, conditions and insurance requirements, they will be attached as Exhibit A.

NOTE: Bid opportunities are posted on our website at www.cstx.gov. Some bids, but not all, are conducive to receipt of bids via the City of College Station's On-Line Bidding System. These bids are encrypted and remain effectively locked until the due date and time. If you are interested in submitting your bid on-line, you must be registered with the City of College Station. See On-Line Bidding at www.cstx.gov for more information.

DEFINITIONS, TERMS AND CONDITIONS

The following instructions apply to all bids and become a part of terms and conditions of any bid submitted to the City of College Station Purchasing Services Division, unless otherwise specified elsewhere in this bid request. All bidders are required to be informed of these Terms and Conditions and will be held responsible for having done so:

Definitions

In order to simplify the language throughout this bid, the following definitions shall apply:
CITY OF COLLEGE STATION – Same as City.

Communication

The City shall not be responsible for any verbal communication between any employee of the City and potential bidder(s). Only written specifications and price quotations will be considered.

Confidentiality

Public agencies in Texas are subject to the Public Information Act.

Delivery

All prices quoted shall be F.O.B. City of College Station. No freight or delivery charges will be accepted unless shown on bid.

Electronic Documents

Bidders may be supplied with the original documents in electronic form to aid in the preparation of bid(s). By accepting these electronic documents, Bidders agree not to edit or change the language or format of these documents. Submission of a proposal by Bidder signifies full agreement with this requirement.

Exceptions

The bidder will note any exceptions to the conditions of this bid. If no exceptions are stated, it will be understood that all general and specific conditions will be complied with, without exception.

Extension of Contract

Upon completion of the term of the original contract and upon the mutual agreement of both parties, the original contract may be renewed for up to two (2) additional one (1) year terms [three (3) years total]. The renewal will be under the same terms and conditions as the original contract; provided, however, that the unit prices bid under the original contract may, by mutual agreement, be increased by no more than eight percent (8%) of the original contract price. In the event a new contract cannot be executed at the anniversary date of the original term or any renewal term, the contract may be renewed month-to-month until a new contract is executed.

Financial Condition

Contractor must provide audited financial statements, if requested, to the City.

Fiscal Funding

This contract includes fiscal funding provisions. If, for any reason, funds are not appropriated to continue this contract, said contract shall become null and void.

Forms

Bid proposals will be submitted on the forms provided by Owner. All figures must be written in ink or typewritten. However, mistakes may be crossed out, corrections inserted adjacent thereto and initiated in ink by the person signing the proposal. When discrepancies occur between words and figures, the words shall govern.

Indemnification

The successful bidder agrees by entering into this contract, to defend, indemnify and hold Owner harmless from any and all causes of action or claims of damages arising out of or related to bidder's performance under this contract.

Independent Contractor

Nothing in this bid is intended nor shall be construed to create an employer/employee relationship between the contracting parties.

April 28, 2011
Consent Agenda Item No. 2c
Annual Price Agreement for Micro-Surfacing

To: David Neeley, City Manager

From: Chuck Gilman, P.E., Public Works Director

Agenda Caption: Presentation, possible action, and discussion regarding the approval of Bid 10-55 and the award of an annual price agreement for the installation of micro-surfacing to Viking Construction, Inc. in an amount not to exceed \$310,000.

Relationship to Strategic Goals: Financially Sustainable City Providing Response to Core Services and Infrastructure – Spending taxpayer money efficiently.

Recommendation(s): Approval of the contract.

Summary: The contract is for the installation of micro-surfacing as a thin overlay material which will restore the original service properties to worn but structurally sound pavements. The micro-surfacing process is used for similar preventive maintenance tasks that the seal coat (chip seal) application is currently used. It reseals the surface to reduce moisture infiltration which contributes to loss of strength and deterioration of the base. Weathering, raveling, and surface cracking is less likely. It also restores a skid resistant surface on asphalt pavement. The advantages of micro-surfacing are:

1. A Smooth Surface with no loose stones,
2. A6-8 Year Life Span
3. Environmentally friendly – cold process and all material stays on the street.

Other cities in Texas to use this process are Austin, Burleson, Waco, Lubbock, Arlington, El Paso, and Round Rock. The Street Maintenance Division began searching for alternatives to the seal coat process due to citizen dissatisfaction with loose rock and the two to three week curing process. This process will be used by the Street Maintenance Division to maintain and extend the life of asphalt pavement streets.

Budget & Financial Summary: Funds to provide for the installation of micro-surfacing are budgeted and available in the General Fund with the Operations Budget. The cost of this micro-surfacing contract is \$3.10 per sq. yd. Similar quotes have been given for contracted seal coat projects. The range of this contract is from \$155,000 for 50,000 sq. yds.(2.5 miles) to \$310,000 for 100,000 sq. yds. (5 miles) depending on the total number of miles of streets that are included in the project.

Attachments:

1. Resolution

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COLLEGE STATION, TEXAS, APPROVING A CONSTRUCTION CONTRACT FOR THE MICRO-SURFACING PROJECT AND AUTHORIZING THE EXPENDITURE OF FUNDS.

WHEREAS, the City of College Station, Texas, solicited bids for the construction phase of the Micro-Surfacing Project; and

WHEREAS, the selection of Viking Construction, Inc. is being recommended as the lowest responsible bidder for the construction services related to micro-surfacing of asphalt streets; 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 Viking Construction, Inc. is the lowest responsible bidder.

PART 2: That the City Council hereby approves the contract with Viking Construction, Inc. for \$310,000.00 for the labor, materials and equipment required for the improvements related the Micro-Surfacing Project.

PART 3: That the funding for this Contract shall be as budgeted from the General Fund, Street Maintenance Division, in the amount of \$310,000.00.

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

ADOPTED this 28th Day of April, 2011.

ATTEST:

APPROVED:

City Secretary

Mayor

APPROVED:



City Attorney

April 28, 2011
Consent Agenda Item No. 2d
Project Number WF1325560
Barron Road Water Services Construction Contract

To: David Neeley, City Manager

From: Chuck Gilman, P.E., Public Works Director

Agenda Caption: Presentation, possible action, and discussion on a Construction Contract with Kieschnick General Contractors, in the amount of \$139,787.50, for the construction of the Barron Road Water Services Project.

Relationship to Strategic Goals: Goal I, Financially Sustainable City Providing Response to Core Services and Infrastructure.

Recommendation(s): Staff recommends approval of this resolution.

Summary: The scope of this project includes the construction of 2,155 linear feet of 12-inch water line, replacing 9 water meters, and associated appurtenances. This is the second phase of this water line extension project. A previous phase of this project included the design and construction of an 18-inch water line along Barron Road from Victoria Road to Wellborn Road. This 18-inch water line is a dead end line that terminates at the intersection of Barron Road and Wellborn Road. To ensure a high level of water quality inside the City's water distribution system this line is routinely flushed, resulting in the loss of thousands of gallons of potable water each year. This project will loop the 18-inch line on Barron Road with the system in the Southern Trace Subdivision eliminating the need to flush the 18-inch line along Barron Road.

This second phase of this project, the 12-inch water line along Wellborn Road from Barron Road to Southern Trace Subdivision, was delayed because of a longer than anticipated land acquisition process. The water line is necessary to provide water service and fire flow to the Brazos Valley Church of Christ, which will start construction this summer.

With the projected construction budget of \$139,787.50, Kieschnick General Contractors was selected to construct the project because they were the lowest responsible bidder in response to the city's solicitation of bids.

Budget & Financial Summary: The current budget for the Barron Road Water Services project is \$1,691,863. \$1,247,802 has been expended or committed to date. Previous expenditures paid for the 18" water line along Barron Road from Victoria Road to Wellborn Road. The PO for the project construction is \$139,787.50. It is anticipated that this project will come in under budget and that the remaining funds will be reallocated to other Water Department capital projects.

Attachments:

1. Resolution
2. Project Location Map

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COLLEGE STATION, TEXAS, APPROVING A CONSTRUCTION CONTRACT AND AUTHORIZING THE EXPENDITURE OF FUNDS FOR THE BARRON ROAD WATER SERVICES PROJECT.

WHEREAS, the City of College Station, Texas, solicited bids for the construction of the Barron Road Water Services Project; and

WHEREAS, the selection of Kieschnick General Contractors is being recommended as the lowest responsible bidder; 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 Kieschnick General Contractors is the lowest responsible bidder

PART 2: That the City Council hereby approves the contract with Kieschnick General Contractors for an amount not to exceed \$139,787.50 for the labor, materials and equipment required for the improvements related to the Barron Road Water Services Project.

PART 3: That the funding for this Contract shall be as budgeted from the Water Services Fund in the amount of \$139,787.50.

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

ADOPTED this _____ day of _____, A.D. 2011.

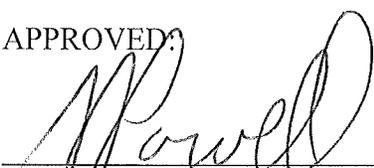
ATTEST:

APPROVED:

City Secretary

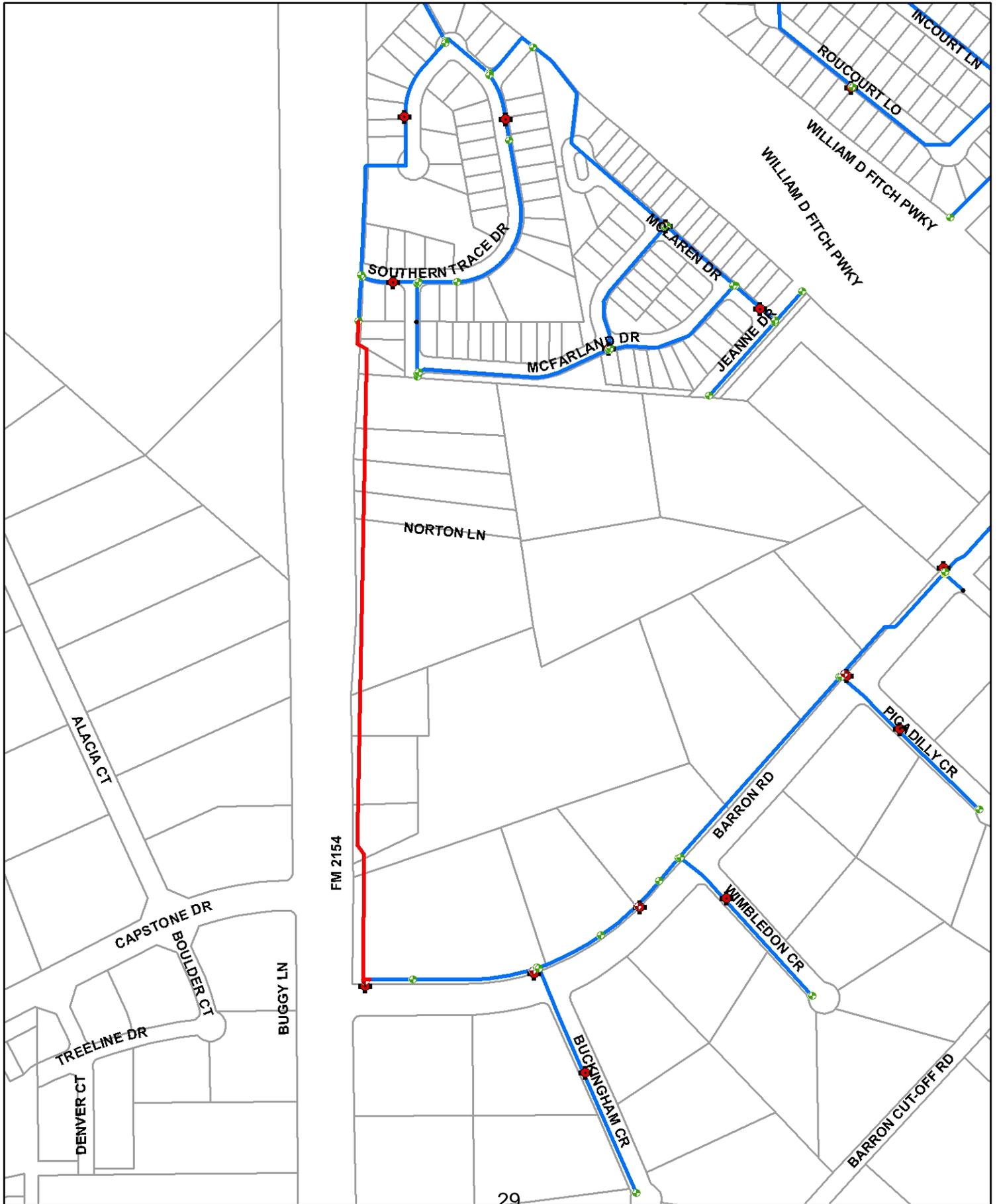
MAYOR

APPROVED:



City Attorney

BARRON ROAD WATER SERVICE



April 28, 2011
Consent Agenda Item No. 2e
Castlegate II Subdivision, Section 200 – Water Oversize Participation Request

To: David Neeley, City Manager

From: David Coleman, Water Services Director

Agenda Caption: Presentation, possible action, and discussion for Oversize Participation (OP) for a water line improvement in the Castlegate II Subdivision, Section 200 being made per City Code of Ordinances, Chapter 12, Unified Development Ordinance, Article 8, Subdivision Design and Improvements, Section 8.5, Responsibility for Payment for Installation Costs, Oversized Participation for a total requested City participation of \$29,730.00.

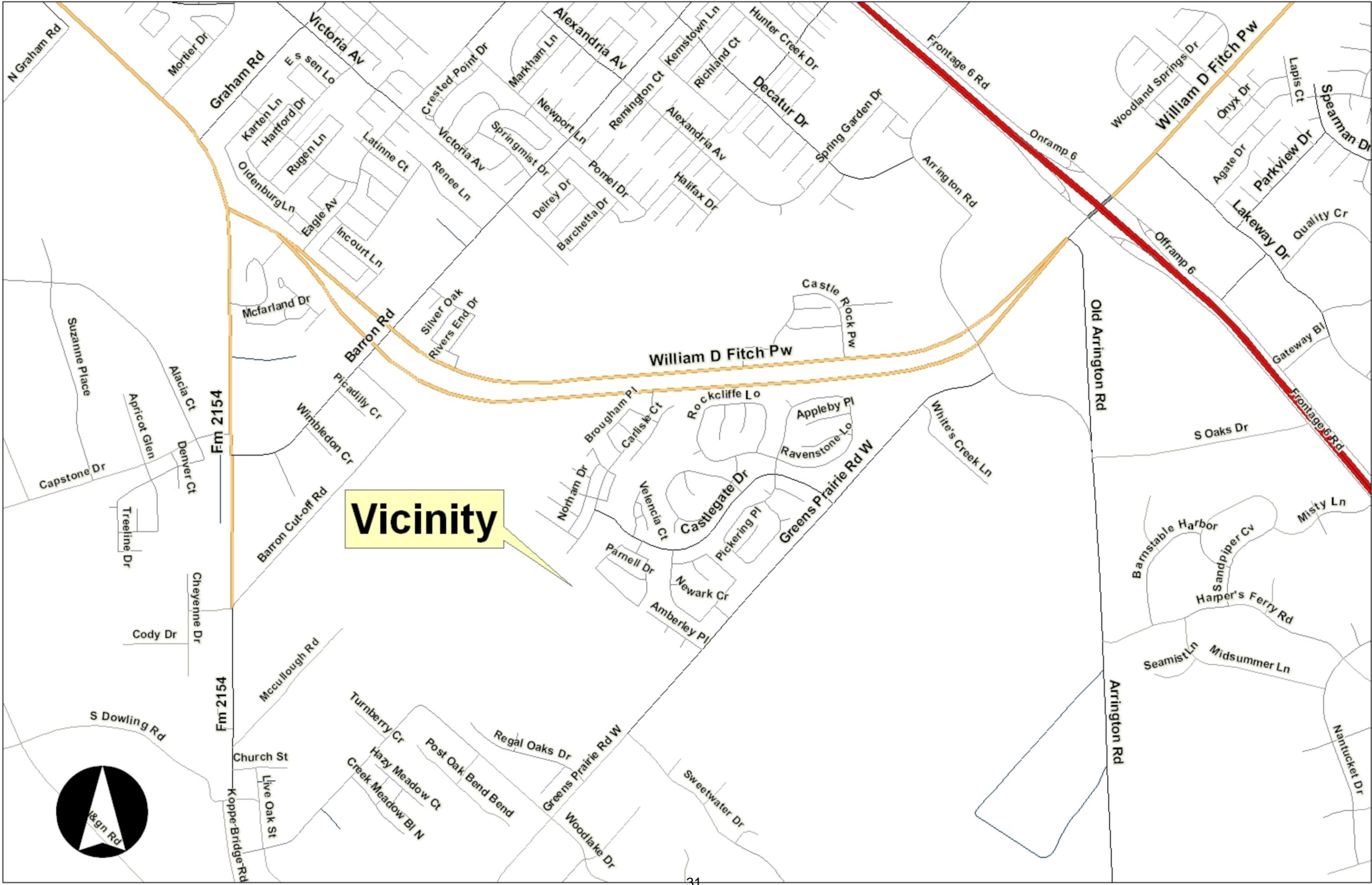
Recommendation(s): Staff recommends approval.

Summary: Associated with the development of Castlegate II Subdivision, Section 200, the City required the construction of a 12 inch water line for the larger City system. Subsequently, the developer's engineer demonstrated that an 8 inch water line was adequate for the developer's specific development. This oversized participation request is the construction cost difference for upsizing an 8 inch water line to a 12 inch water line for a 2,113 linear feet section thru the proposed Castlegate II Subdivision, Section 200.

Budget & Financial Summary: Funds for this oversized participation request are budgeted and available in the Water Capital Improvement Projects Fund. A total of \$100,000 is included in the FY11 CIP for Water oversized participation, of which \$29,730 is being recommended for this project.

Attachments:

1. Location Map
2. Ordinance approving Participation Agreement
3. Request Letter



Vicinity

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COLLEGE STATION, TEXAS, APPROVING A PARTICIPATION AGREEMENT BY AND BETWEEN THE CITY AND 3-D DEVELOPMENT, LLC FOR THE DEVELOPMENT OF THE CASTLEGATE II SUBDIVISION, SECTION 200 PROJECT AND AUTHORIZING THE EXPENDITURE OF FUNDS.

WHEREAS, 3-D Development, LLC is a developer developing the Castlegate II Subdivision, Section 200 Project; and

WHEREAS, as part of said development, the construction of certain public infrastructure is required; and

WHEREAS, pursuant to Section 212.071 et seq. Texas Local Government Code the City of College Station and the developer have agreed to jointly participate in the construction of certain public infrastructure to wit: the Castlegate II Subdivision, Section 200 Project ("Project") as further set forth in a Participation Agreement; now, therefore,

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

- PART 1: That the City Council hereby finds it to be in the best interests of its citizens to enter into that one certain Participation Agreement with 3-D Development, LLC for the construction of the Castlegate II Subdivision, Section 200 Project. A copy of said Participation Agreement is attached as Exhibit "A" and incorporated herein by reference.
- PART 2: That the City Council hereby approves the contract with 3-D Development, LLC obligating the CITY to pay a maximum of \$29,730.00 out of a total estimated amount of \$195,563.00 for the labor, materials and equipment required for the improvements related to the Castlegate II Subdivision, Section 200 Project.
- PART 3: That the funding for this Contract shall be as budgeted from the Water Capital Improvement Projects Fund, in the amount of \$29,730.00.
- PART 4: That this ordinance shall take effect immediately from and after its passage.

ADOPTED this 28 day of April, A.D. 2011.

ATTEST:

APPROVED:

City Secretary

MAYOR

APPROVED:

Carla A. Robinson

City Attorney

EXHIBIT A TO ORDINANCE

CITY PARTICIPATION AGREEMENT

This Agreement is entered into this _____ day of _____, 2011, by and between the **City of College Station**, a Texas home rule municipal corporation (hereinafter "CITY"), and **3-D Development, LLC**, a Texas Limited Liability Company (hereinafter "DEVELOPER").

WHEREAS, DEVELOPER is developing property within the City of College Station, more particularly described as Castlegate II Subdivision, Section 200, College Station, Brazos County, Texas (hereinafter "Property") a description of which is attached hereto as **Exhibit A**; and

WHEREAS, DEVELOPER is required to construct certain public infrastructure, such as roadways, utilities, sidewalks, drainage facilities, water and sewer facilities, etc. that relate to DEVELOPER'S proposed development; and

WHEREAS, CITY is required or desirous of assuming some or all responsibility for construction of certain public infrastructure affecting DEVELOPER'S development; and

WHEREAS, because of this and in order to comply with CITY's overall development scheme both DEVELOPER and CITY agree that it is in the best interests of the public to jointly construct certain identified public infrastructure; and

WHEREAS, the City Engineer has reviewed the data, reports and analysis, including that provided by DEVELOPER's engineers, and determined that such public improvement qualifies for joint CITY-DEVELOPER participation; and

WHEREAS, both parties agree as to the nature and proportion of joint participation as further recited herein and as may be required in accordance with section 212.071 et seq and Chapter 252 Texas Local Government Code;

NOW, THEREFORE, for and in consideration of the recitations above and the promises and covenants herein expressed, the parties hereby agree as follows:

I. DEFINITIONS

1.1 Approved Plans means the plans and specifications that meet the requirements of this Participation Agreement, the City of College Station Codes and Ordinances and any other applicable laws and that have been submitted to, reviewed and approved by the City of College Station Development Services Department, the City Engineer.

1.2 CITY or College Station means the City of College Station, a Texas home rule municipal corporation located at 1101 Texas Avenue, College Station, Texas 77840.

EXHIBIT A TO ORDINANCE

1.3 DEVELOPER means **3-D Development, LLC**, a Texas Limited Liability Company whose principal office is located at 4490 Castlegate Drive, College Station, Texas 77845.

1.4 Effective Date. The date on which this Agreement is signed by the last party whose signing makes the Agreement fully executed.

1.5 Final Completion. The term "Final Completion" means that all the work on the Project has been completed, a written guarantee of performance for a one year maintenance period has been provided, all final punch list items have been inspected and satisfactorily completed, all payments to materialmen and subcontractors have been made, all documentation, and all closeout documents have been executed and approved by the DEVELOPER as required, all Letters of Completion and other CITY documentation have been issued for the Project, all reports have been submitted and reporting requirements have been met, and DEVELOPER has fully performed any other requirements contained herein.

1.6 Letter of Completion: A letter issued by the City Engineer stating that the construction of public improvements conforms to the plans, specifications and standards contained in or referred to in the CITY OF COLLEGE STATION UNIFIED DEVELOPMENT ORDINANCE.

1.7 Property means Castlegate II Subdivision, Section 200 and as further described in **Exhibit A** attached hereto and incorporated herein made a part hereof.

1.8 Project means the construction of a water main, as detailed in **Exhibit B** attached hereto and incorporated herein by reference.

II. CITY COST PARTICIATION

2.1 Agree to Participate. CITY agrees to cost participate in the Project in the maximum amount estimated as set forth in **Exhibit B**, which is attached hereto and incorporated herein by reference. CITY'S actual rate of participation will be based upon the final actual cost of the Project as reflected by the breakdown of costs required pursuant to this Agreement but in no event shall exceed the maximum amount estimated in **Exhibit B**.

2.2 Public Bidding. The total estimated cost of the Project is as set forth in **Exhibit B**. If CITY's cost participation exceeds 30% of the total cost of the Project or is located within the extraterritorial jurisdiction of the CITY, then the Project must be competitively bid pursuant to Chapter 252 Texas Local Government Code, as amended. If CITY participation exceeds 30% of the total cost of the Project, CITY shall be responsible for advertising and obtaining bids or negotiating proposals for the construction of the Project. DEVELOPER shall pay for all costs associated with advertising, printing, and distributing plans and specifications for the Project.

EXHIBIT A TO ORDINANCE

If CITY's cost participation is 30% or less of the total cost of the Project and is located within the boundaries of the CITY, the Project need not be competitively bid.

2.3 Cost of Project. DEVELOPER's engineer's detailed cost estimate of the Project is attached hereto and incorporated herein as **Exhibit B**.

2.4 Application for Payment. Application for payment by the DEVELOPER to the CITY for payment to the DEVELOPER pursuant to the terms of this Agreement must include the following in a form acceptable to CITY:

- (1) Final Completion of the Project in accordance with the Approved Plans;
- (2) issuance of all Letters of Completion relating to the Project;
- (3) DEVELOPER's compliance with all CITY Codes, Ordinances and standards relating to the Project, the Property and its subdivision and development;
- (4) dedication of the land for the right-of-way either by plat or by deed relating to the Project;
- (5) a current title report as of the date of such land dedication and updated within sixty (60) days of the date of this Agreement;
- (6) lien releases or subordinations from all lenders as required by CITY;
- (7) Proof that all guarantees of performance and payment as set forth in this Agreement have been met, including all bond requirements when applicable; and
- (8) A breakdown of actual costs of the Project with supporting documentation, including all payment receipts.

2.5 City Participation Payment. DEVELOPER shall submit the written application for CITY participation payment within thirty (30) days after issuance of all Letters of Completion relating to the Project or DEVELOPER shall be ineligible to receive the CITY participation payment specified in this Agreement and CITY's obligation to cost participate shall terminate without any liability. Applications may not be submitted prior to Final Completion. CITY will pay its participation funds in one payment within thirty (30) days after receipt of a complete written application for participation payment from DEVELOPER.

2.6 Reports, books and other records. DEVELOPER shall make its books and other records related to the project available for inspection by CITY. DEVELOPER shall submit to CITY any and all information or reports requested to verify the expenditures submitted for CITY participation eligibility including but not limited to bid documents, payment applications, including any supporting information, cancelled checks, copies of construction and engineering documents, as determined by the City Engineer in his sole discretion, for the verification of the cost of the Project detailed in **Exhibit B** of this Agreement. The submission of these reports and information shall be the responsibility

EXHIBIT A TO ORDINANCE

of DEVELOPER and shall be certified by DEVELOPER's Licensed Professional Engineer at DEVELOPER's expense and signed by an authorized official of the entity.

III.

GOVERNMENTAL IMMUNITY, INDEMNIFICATION AND RELEASE

CITY is a political subdivision of the state and enjoys governmental immunity. By entering into this Agreement, CITY does not consent to suit, waive its governmental immunity, or the limitations as to damages under the Texas Tort Claims Act.

DEVELOPER agrees to and shall indemnify, hold harmless, and defend CITY and its officers, agents, and employees from and against any and all claims, losses, damages, causes of action, suits, and liability of every kind, including all expenses of litigation, court costs, expert fees and attorney's fees, for injury to or death of any person, or for damage to any property, or for breach of contract, arising out of or in connection with the work done by DEVELOPER under this Agreement, regardless of whether such injuries, death, damages or breach are caused in whole or in part by the negligence of CITY, any other party indemnified hereunder, or the DEVELOPER.

DEVELOPER shall indemnify and hold CITY harmless from any claims of suppliers or subcontractors of DEVELOPER for improvements constructed or caused to be constructed by DEVELOPER.

DEVELOPER shall indemnify and hold CITY harmless from any and all injuries to or claims of adjacent property developers resulting from or relating to their performance under this Agreement.

DEVELOPER assumes full responsibility for the work to be performed hereunder, and releases, relinquishes and discharges CITY, its officers, agents and employees, from all claims, demands, and causes of action of every kind and character, including the cost of defense therefore, for any injury to or death of any persons and any loss of or damage to any property that is caused by, alleged to be caused by, arising out of, or in connection with, DEVELOPER's work to be performed hereunder. This release shall apply whether or not said claims, demands, and causes or action are covered in whole or in part by insurance and regardless of whether or not said claims, demands, and causes of action were caused in whole or in part by the negligence of CITY, any other party released hereunder, or DEVELOPER.

IV.

PROJECT AND CONSTRUCTION

4.1 Right to Inspect the Work. CITY may inspect the improvements for compliance with the Approved Plans during construction. In the event that it is determined by CITY that any of the work or materials furnished is not in strict accordance with the Approved Plans, CITY may withhold funds until the nonconforming

EXHIBIT A TO ORDINANCE

work conforms to the Approved Plans or terminate this Agreement at CITY's election without any further liability.

4.2 Independent Contractor. DEVELOPER shall be solely responsible for selecting, supervising, and paying the construction contractor(s) or subcontractors and for complying with all applicable laws, including but not limited to all requirements concerning workers compensation and construction retainage.

The parties to this Agreement agree and understand that all employees, volunteers, personnel and materials furnished or used by DEVELOPER in the installation of the specified improvements shall be the responsibility of DEVELOPER and shall not be deemed employees or agents of CITY for any purpose.

4.3 Payment for materials and labor. DEVELOPER shall be solely and exclusively responsible for compensating any of its contractors, employees, subcontractors, materialmen and/or suppliers of any type or nature whatsoever and insuring that no claims or liens of any type will be filed against any property owned by CITY arising out of or incidental to the performance of any service performed pursuant to this Agreement. In the event a statutory lien notice is sent to CITY, DEVELOPER shall, where no payment bond covers the work, upon written notice from the CITY, immediately obtain a bond at its expense and hold CITY harmless from any losses that may result from the filing or enforcement of any said lien notice.

4.4 Affidavit of bills paid. Prior to the issuance of a Letter of Completion of the improvements, DEVELOPER shall provide CITY a notarized affidavit stating that all bills for labor, materials, and incidentals incurred have been paid in full, that any claims from manufacturers, materialmen, and subcontractors have been released, and that there are no claims pending of which DEVELOPER has been notified. Such affidavit shall be in a form as substantially set forth in **Exhibit C** which is attached hereto and incorporated by reference.

4.5 Requirements of Applicable rules remain. This Agreement does not alter, amend modify or replace any other requirements contained in the Code of Ordinances, Unified Development Code, or other applicable law.

V.

GUARANTEE OF PERFORMANCE AND PAYMENT

5.1 Bonding Requirements of Developer. Where CITY participation is 30% or less of the total value of the Project, DEVELOPER shall execute a performance bond to ensure construction of the Project and shall ensure that its contractor performing the Project executes a payment bond to ensure payment to subcontractors, if any. The bonds must be executed by a corporate surety in accordance with CHAPTER 2253, TEXAS GOVERNMENT CODE. The bonds shall be in the total amount of the contract price as approved by CITY.

EXHIBIT A TO ORDINANCE

5.2 Bonding Requirements of City. Where CITY participation is greater than 30% of the total value of the Project or when the Project is located within the extraterritorial jurisdiction of the CITY, the CITY shall ensure that the prime contractor of the Project execute to the CITY a performance bond and/or a payment bond as may be required pursuant to chapter 2253 Texas Government Code.

VI. GENERAL PROVISIONS

6.1 Amendments. No amendment to this Agreement shall be effective and binding unless and until it is reduced to writing and signed by duly authorized representatives of both parties.

6.2 Choice of law and Venue. This Agreement has been made under and shall be governed by the laws of the State of Texas. Performance and all matters related thereto shall be in Brazos County, Texas, United States of America.

6.3 Authority to enter into Agreement. Each party represents that it has the full power and authority to enter into and perform this Agreement. The person executing this Agreement on behalf of each party has been properly authorized and empowered to enter into this Agreement. The person executing this Agreement on behalf of DEVELOPER represents that he or she is authorized to sign on behalf of DEVELOPER and agrees to provide proof of such authorization to the CITY upon request.

6.4 Agreement read. The parties acknowledge that they have read, understand and intend to be bound by the terms and conditions of this Agreement.

6.5 Notice. All notices and documents required herein shall be sent and provided to the parties at the addresses and telephone numbers listed below:

DEVELOPER:

3-D DEVELOPMENT, LLC
WALLACE PHILLIPS IV, MANAGER
4490 CASTLEGATE DRIVE
COLLEGE STATION, TEXAS 77845

CITY:

City of College Station
City Engineer
P.O. Box 9960
College Station, TX 77842

With copies to:
City Attorney and City Manager
1101 Texas Avenue
College Station, TX 77842

EXHIBIT A TO ORDINANCE

All notices and documents shall be deemed received when mailed with sufficient postage and deposited in a regular mailbox of the United States Post Office. The parties may change addresses upon thirty (30) days' written notice sent certified mail, return receipt requested.

6.6 Assignment. This Agreement and the rights and obligations contained herein may not be assigned by DEVELOPER without the prior written approval of the CITY.

6.7 Default. In the event of a breach of this Agreement by DEVELOPER, CITY may terminate this Agreement and exercise any and all legal remedies available to it.

Executed this _____ day of _____, 2011.

List of Exhibits:

- A A description of the Property
- B Request Letter describing Project & Engineer's estimate of the costs of the Project
- C Affidavit of All Bills Paid form

3-D DEVELOPMENT, LLC

CITY OF COLLEGE STATION

BY: _____

BY: _____

Mayor

Printed Name: _____

Title: _____

ATTEST:

City Secretary

APPROVED:

City Manager

City Attorney

Chief Financial Officer

EXHIBIT A TO ORDINANCE

THE STATE OF TEXAS)
) ACKNOWLEDGMENT
COUNTY OF BRAZOS)

Before me, the undersigned authority, on this day personally appeared WALLACE PHILLIPS IV as Manager of 3-D DEVELOPMENT, LLC, a Texas Limited Liability Company, 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 purposes and consideration therein expressed.

Given under my hand and seal of office on this the ____ day of _____, 2011.

Notary Public in and for the State of Texas

THE STATE OF TEXAS)
) ACKNOWLEDGMENT
COUNTY OF BRAZOS)

Before me, the undersigned authority, on this day personally appeared _____ as Mayor of the City of College Station, a Texas home-rule municipal 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 purposes and consideration therein expressed.

Given under my hand and seal of office on this the ____ day of _____, 2011.

Notary Public in and for the State of Texas

Exhibit B - Sheet 1 of 2

Phillips Engineering

Providing Civil Engineering Services to College Station and Surrounding Communities
4490 Castlegate Drive, College Station, Texas 77845 (979) 690-3141

March 1, 2011

Josh Norton
Development Services
City of College Station
P.O. Box 9960
College Station, Texas 77842

**RE: OVERSIZE PARTICIPATION REQUEST
 CASTLEGATE II SUBDIVISION, SECTION 200
 COLLEGE STATION, TEXAS**

Dear Josh:

With this letter I wish to initiate a request for Oversize Participation by the City of College Station for the 12" water line being installed with Section 200 of Castlegate II. This water line was designed to comply with the City's Water Masterplan which calls for a 12" line to parallel WS Phillips Parkway through the subdivision. The construction plans for the water system are included with this submittal for your review. They show a total of approximately 2113 feet of 12" line running along WS Phillips and Toddington.

In the accompanying Water System Report, you will see that we have modeled the water system in the subdivision using 4", 6" and 8" lines. The model demonstrates that the system performs above minimum standards using these line sizes. We conclude that anything larger than an 8" line can be considered oversized.

Also included with this submittal is an estimated cost of the water systems using 12" lines and another using 8" lines instead. The difference in cost between the two line sizes and the related fittings is \$23,863. I believe this is a conservative number and that actual construction costs should not exceed that figure. I also estimate a cost of 3% of that figure for the performance and payment bonds which comes to \$5,867. The total Oversize Participation request is for **\$29,730**. This figure is approximately 15% of the overall water system cost and is well below the threshold limit of 30% where competitive bidding becomes a requirement.

I ask that you review these accompanying documents and forward them to other staff members involved in the Oversize Participation process. Please let me know what subsequent steps we need to take to move forward with this request. Thank you.

Sincerely,



Kent Laza, P.E.
Manager
Phillips Engineering

attachments

Exhibit B - Sheet 2 of 2

CASTLEGATE II SUBDIVISION, SECTION 200 ENGINEER'S ESTIMATE OF OVERSIZE PARTICIPATION COSTS March 1, 2011

Item No.	Description	Est. Quantity	Unit	Unit Price	Total
Water System w/12" lines					
1	12" Water PVC CL200 (C900), CL200 Structural Backfill	659	LF	33.00	21,747
2	12" Water PVC CL200 (C900), CL200 Non-Structural Backfill	1,454	LF	29.00	42,166
3	8" Water PVC CL200 (C900), CL200, Structural Backfill	309	LF	24.00	7,416
4	8" Water PVC CL200 (C900), CL200 Non-Structural Backfill	1,038	LF	21.00	21,798
5	6" Water PVC CL200 (C900), CL200, Structural Backfill	45	LF	21.00	945
6	6" Water PVC CL200 (C900), CL200 Non-Structural Backfill	862	LF	18.00	15,516
7	20" Steel Casing Pipe, w/casing spacers and end caps	70	LF	90.00	6,300
8	14" Steel Casing Pipe, w/casing spacers and end caps	110	LF	75.00	8,250
9	Fire Hydrant Assembly (incl. 12"x6" tee, valve, bend & hydrant)	2	EA	3,500.00	7,000
10	Fire Hydrant Assembly (incl. 6"x6" tee, valve, bend & hydrant)	1	EA	3,300.00	3,300
11	Connect to existing water line	2	EA	500.00	1,000
12	12" X 12" M.J. Cross	1	EA	750.00	750
13	12" X 8" M.J. Cross	1	EA	600.00	600
14	8" X 6" M.J. Cross	1	EA	500.00	500
15	12" X 12" Tee	1	EA	600.00	600
16	8" X 8" Tee	1	EA	400.00	400
17	12" M.J. Gate Valve	3	EA	1,800.00	5,400
18	8" M.J. Gate Valve	6	EA	1,200.00	7,200
19	6" M.J. Gate Valve	3	EA	850.00	2,550
20	12" X 45° M.J. Bend	6	EA	400.00	2,400
21	8" X 45° M.J. Bend	7	EA	300.00	2,100
22	8" X 22.5° M.J. Bend	2	EA	300.00	600
23	12"x 8" M.J. Reducer	2	EA	300.00	600
24	8"x 6" M.J. Reducer	1	EA	225.00	225
25	4" Blowoff Valve	3	EA	2,200.00	6,600
26	2" Blowoff Valve	3	EA	1,500.00	4,500
27	1" Water Service, < 15 ft (avg length = 3 ft)	2	EA	600.00	1,200
28	1" Water Service, > 15 ft (avg length = 47 ft)	5	EA	1,100.00	5,500
29	1.5" Water Service, < 15 ft (avg length = 3 ft)	11	EA	650.00	7,150
30	1.5" Water Service, > 15 ft (avg length = 47 ft)	9	EA	1,250.00	11,250
Water System w/ 12" lines					\$195,563

Water System w/8" lines					
1	8" Water PVC CL200 (C900), CL200, Structural Backfill	968	LF	24.00	23,232
2	8" Water PVC CL200 (C900), CL200 Non-Structural Backfill	2,492	LF	21.00	52,332
3	6" Water PVC CL200 (C900), CL200, Structural Backfill	45	LF	21.00	945
4	6" Water PVC CL200 (C900), CL200 Non-Structural Backfill	862	LF	18.00	15,516
5	14" Steel Casing Pipe, w/casing spacers and end caps	180	LF	75.00	13,500
6	Fire Hydrant Assembly (incl. 8"x6" tee, valve, bend & hydrant)	2	EA	3,300.00	6,600
7	Fire Hydrant Assembly (incl. 6"x6" tee, valve, bend & hydrant)	1	EA	3,300.00	3,300
8	Connect to existing water line	2	EA	500.00	1,000
9	8" X 8" M.J. Cross	2	EA	600.00	1,200
10	8" X 6" M.J. Cross	1	EA	500.00	500
11	8" X 8" Tee	2	EA	400.00	800
12	8" M.J. Gate Valve	9	EA	1,200.00	10,800
13	6" M.J. Gate Valve	3	EA	850.00	2,550
14	8" X 45° M.J. Bend	13	EA	300.00	3,900
15	8" X 22.5° M.J. Bend	2	EA	300.00	600
16	12"x 8" M.J. Reducer	2	EA	300.00	600
17	8"x 6" M.J. Reducer	1	EA	225.00	225
18	2" Blowoff Valve	6	EA	1,500.00	9,000
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Water System w/8" lines					\$171,700



Kent Laza
3/1/11

Oversize Participation Estimate \$23,863

Exhibit C- Sheet 1 of 1

THE STATE OF TEXAS }
COUNTY OF BRAZOS }

AFFIDAVIT OF BILLS PAID

Before me, the undersigned authority, personally appeared _____ ("Affiant"), _____ of _____ ("Contractor"), who being first duly sworn, deposed and state the following:

"My name is _____. I am over 18 years of age, of sound mind, capable of making this affidavit, and personally acquainted with the facts stated in it, which facts are true and correct.

Pursuant to that certain _____ contract, dated as of _____, 200__ (the "Contract") by and between the City of College Station, Texas, and _____, Contractor furnished labor and materials to construct _____ on the real property known as _____ (more particularly described in the Contract) the "Project".

To the extent that Contractor constructed or contracted for the construction of such _____, Contractor has paid each of its sub-contractors, laborers and materialmen in full (except for statutory retainage) for all labor and/or materials provided to Contractor on the Project.

To the best of Affiant's knowledge, Contractor has not received notice of any claims pending against the Project in connection with the _____ described in the Contract.

Further, Affiant saith not.

Executed this _____ day of _____, 200__.

AFFIANT:

Printed Name: _____

SUBSCRIBED AND SWORN TO before me on this _____ day of _____, 200__.

Notary Public, State of Texas

Phillips Engineering

Providing Civil Engineering Services to College Station and Surrounding Communities
4490 Castlegate Drive, College Station, Texas 77845 (979) 690-3141

March 1, 2011

Josh Norton
Development Services
City of College Station
P.O. Box 9960
College Station, Texas 77842

**RE: OVERSIZE PARTICIPATION REQUEST
 CASTLEGATE II SUBDIVISION, SECTION 200
 COLLEGE STATION, TEXAS**

Dear Josh:

With this letter I wish to initiate a request for Oversize Participation by the City of College Station for the 12" water line being installed with Section 200 of Castlegate II. This water line was designed to comply with the City's Water Masterplan which calls for a 12" line to parallel WS Phillips Parkway through the subdivision. The construction plans for the water system are included with this submittal for your review. They show a total of approximately 2113 feet of 12" line running along WS Phillips and Toddington.

In the accompanying Water System Report, you will see that we have modeled the water system in the subdivision using 4", 6" and 8" lines. The model demonstrates that the system performs above minimum standards using these line sizes. We conclude that anything larger than an 8" line can be considered oversized.

Also included with this submittal is an estimated cost of the water systems using 12" lines and another using 8" lines instead. The difference in cost between the two line sizes and the related fittings is \$23,863. I believe this is a conservative number and that actual construction costs should not exceed that figure. I also estimate a cost of 3% of that figure for the performance and payment bonds which comes to \$5,867. The total Oversize Participation request is for **\$29,730**. This figure is approximately 15% of the overall water system cost and is well below the threshold limit of 30% where competitive bidding becomes a requirement.

I ask that you review these accompanying documents and forward them to other staff members involved in the Oversize Participation process. Please let me know what subsequent steps we need to take to move forward with this request. Thank you.

Sincerely,



Kent Laza, P.E.
Manager
Phillips Engineering

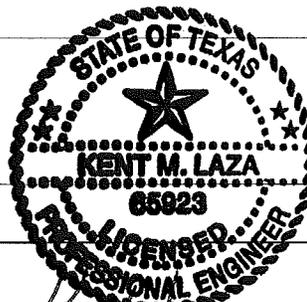
attachments

**CASTLEGATE II SUBDIVISION, SECTION 200
ENGINEER'S ESTIMATE OF OVERSIZE PARTICIPATION COSTS**

March 1, 2011

Item No.	Description	Est. Quantity	Unit	Unit Price	Total
Water System w/12" lines					
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23	12"x 8" M.J. Reducer	2	EA	300.00	600
24	8"x 6" M.J. Reducer	1	EA	225.00	225
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Water System w/ 12" lines					\$195,563

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22	1.5" Water Service, > 15 ft (avg length = 47 ft)	9	EA	1,250.00	11,250
Water System w/8" lines					\$171,700



Oversize Participation Estimate \$23,863

April 28, 2011
Consent Agenda Item No. 2f
Debt Reimbursement Resolution for 2008 GOB Projects –
Lick Creek Nature Center and East District Maintenance Shop

To: David Neeley, City Manager

From: Jeff Kersten, Chief Financial Officer

Agenda Caption: Presentation, possible action, and discussion regarding approval of a "Resolution Declaring Intention to Reimburse Certain Expenditures with Proceeds from Debt" for expenditures related to projects authorized as part of the 2008 General Obligation Bond (GOB) package, specifically the Lick Creek Nature Center and East District Maintenance Shop.

Recommendation(s): Staff recommends approval of the "Resolution Declaring Intention to Reimburse Certain Expenditures with Proceeds from Debt".

Summary: At the April 14, 2011 Council meeting, Council gave direction to move forward with the preliminary planning/design work on the Lick Creek Nature Center project and to move forward with the design and construction of the East District Maintenance Shop. These projects were authorized as part of the 2008 General Obligation Bond (GOB) package. The debt that was authorized for these projects has not yet been issued. On projects for which spending will occur in advance of the debt issue, a "Resolution Declaring Intention to Reimburse Certain Expenditures with Proceeds from Debt" must be approved by Council. Typically, the resolution is brought to Council along with the initial contract for the project (i.e. the engineering contract). In the case these projects, however, spending will take place before the initial contract is brought to Council (i.e. staff time charged to the project for initial planning). This "Resolution Declaring Intention to Reimburse Certain Expenditures with Proceeds from Debt" is being brought to Council to cover the expenditures that are estimated to occur in advance of the debt issue scheduled for FY11 and FY12.

As the amount covered by this resolution only covers a portion of the debt scheduled to be issued for the Lick Creek Nature Center, depending on the timing of future debt issues, an additional "Resolution Declaring Intention to Reimburse Certain Expenditures with Proceeds from Debt" may be necessary in the future.

Budget & Financial Summary: The "Resolution Declaring Intention to Reimburse Certain Expenditures with Proceeds from Debt" is necessary for this item because the long term debt has not been issued for these projects. This resolution is intended to cover debt that is estimated to be issued in FY11 and FY12.

Attachments:

1. Resolution Declaring Intention to Reimburse Certain Expenditures with Proceeds from Debt

RESOLUTION NO. _____

RESOLUTION DECLARING INTENTION TO REIMBURSE CERTAIN EXPENDITURES WITH
PROCEEDS FROM DEBT

WHEREAS, the City of College Station, Texas (the "City") is a home-rule municipality and political subdivision of the State of Texas;

WHEREAS, the City expects to pay expenditures in connection with the design, planning, acquisition and construction of the projects described on Exhibit "A" hereto (collectively, the "Project") prior to the issuance of obligations by the City in connection with the financing of the Project from available funds;

WHEREAS, the City finds, considers, and declares that the reimbursement of the City for the payment of such expenditures will be appropriate and consistent with the lawful objectives of the City and, as such, chooses to declare its intention, in accordance with the provisions of Section 1.150-2 of the Treasury Regulations, to reimburse itself for such payments at such time as it issues obligations to finance the Project;

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

Section 1. The City reasonably expects it will incur debt, as one or more series of obligations, with an aggregate maximum principal amount not to exceed \$1,745,000, for the purpose of paying the aggregate costs of the Project.

Section 2. All costs to be reimbursed pursuant hereto will be capital expenditures. No tax-exempt obligations will be issued by the City in furtherance of this Statement after a date which is later than 18 months after the later of (1) the date the expenditures are paid or (2) the date on which the property, with respect to which such expenditures were made, is placed in service.

Section 3. The foregoing notwithstanding, no tax-exempt obligation will be issued pursuant to this Statement more than three years after the date any expenditure which is to be reimbursed is paid.

PASSED AND APPROVED THIS 28th DAY OF APRIL, 2011.

Nancy Berry, Mayor

ATTEST:

Sherry Mashburn, City Secretary

(Seal)

APPROVED:



Robert A. Leitch
McCall, Parkhurst & Horton L.L.P.
Bond Counsel

Exhibit "A"

The projects to be financed that are the subject of this Statement are:

East District Maintenance Shop Replacement (\$1,645,000)
Lick Creek Nature Center (\$100,000)

April 28, 2011
Consent Agenda Item No. 2g
Acceptance of Engagement Letter to Provide Representation
For Joint Research Valley BioCorridor Development Project

To: David Neeley, City Manager

From: City Manager's Office

Agenda Caption: Presentation, possible action, and discussion regarding the authorization of the City Manager to accept an Engagement Letter from the law firm of Nichols, Jackson, Dillard, Hager & Smith to represent the Cities of College Station and Bryan in regards to the Joint Research Valley BioCorridor Development Project; and consideration of a General Fund Contingency transfer in the amount of \$16,000.00.

Relationship to Strategic Goals: III. Diverse Growing Economy

Recommendation: Staff recommends approval.

Summary: At the request of the BioCorridor Policy Committee, the law firm of Nichols, Jackson, Dillard, Hager & Smith was asked to act as a third party legal counsel to assist in the negotiation and development of the Inter Local Agreement(s) between the Cities of College Station and Bryan in regards to the Joint Research Valley BioCorridor Development Project.

As such, the law firm provided the Cities with an engagement letter on April 6, 2011 stating that the firm will provide the required legal services necessary and that each City will commit to paying for its 50% share of the fees and costs.

Budget & Financial Summary: Based on the legal services rate of \$160.00 per hour, staff recommends authorizing the engagement of Nichols, Jackson, Dillard, Hager & Smith with a not-to-exceed cost of \$16,000.00 for College Station's 50% share of the fees and costs. This amount will come from a General Fund Contingency transfer.

Attachments: Nichols, Jackson, Dillard, Hager & Smith Engagement Letter

NICHOLS, JACKSON, DILLARD, HAGER & SMITH, L.L.P.

Peter G. Smith
Direct: (214) 665-3365
Email: psmith@njdhs.com

ATTORNEYS & COUNSELORS AT LAW
1800 Lincoln Plaza
500 North Akard
Dallas, Texas 75201
(214) 965-9900
Fax (214) 965-0010
Email NJDHS@NJDHS.COM

ROBERT L. DILLARD, JR. (1913-2000)
H. LOUIS NICHOLS (1916-2010)
LAWRENCE JACKSON
OF COUNSEL

April 19, 2011

Via Email: dneeley@cstx.gov
City of College Station
c/o David Neeley, City Manager
1101 Texas Avenue
College Station, Texas 77840

Via Email: kregister@bryantx.gov
City of Bryan
c/o Kean Register, Interim City Manager
300 South Texas Avenue
Bryan, Texas 77803

Re: Joint Representation of the Cities of College Station and Bryan

Dear Messrs. Neeley and Register:

This will serve to confirm that the City of College Station, Texas and the City of Bryan, Texas have jointly employed the law firm of NICHOLS, JACKSON, DILLARD, HAGER & SMITH, L.L.P. ("the Firm") to represent the cities in connection with the Joint Research Valley BioCorridor Development Project, and other legal matters assigned in writing by the respective city to the Firm from time to time.

We understand that each city will designate one or more representatives to work with the Firm on the assigned tasks. The primary attorneys assigned to provide the requested services shall be Peter G. Smith, managing partner and Kevin B. Laughlin. Requests and communications regarding this engagement should be directed to the undersigned who may be contacted at the Firm's general telephone line (214) 965-9900, direct dial telephone (214) 665-3365, cell phone (214) 535-3818, or by email at psmith@njdhs.com. Kevin B. Laughlin may be contacted at the Firm's general telephone line (214) 965-9900, direct dial telephone (214) 665-3337, cell phone (432) 770-3763, or by email at klaughlin@njdhs.com. Other attorneys of the Firm may be assigned work from time to time.

NICHOLS, JACKSON, DILLARD, HAGER & SMITH, L.L.P. will provide the required legal services at the rate of \$160.00 per hour. This rate applies to all attorneys regardless of experience. The Firm, in the same manner as in previous assignments, will forward to you, on behalf of each City, a monthly itemized invoice for legal services which will include the date, description of the activity or transaction, the name or initials of the person performing the service, the time used for that service, the amount charged, client cost and a total of the fees and cost due for the monthly period. The Firm charges for the cost of copies and for outgoing facsimile transmissions, courier service, and for travel expenses. In addition to monthly invoice indicating total services performed, each City will receive an invoice for its 50% share of the fees and costs. If at any time either City has any questions regarding the charges shown on the monthly invoice, the Firm will immediately investigate, and, if necessary, eliminate such charges or provide a credit in the next billing.

Thank you for this opportunity to be of service to the Cities, we look forward to working with each City. If the terms are acceptable please execute in the signature block provided below on behalf of the respective City and return to us by facsimile transmission or email. This Agreement may be executed in counterparts. Each of the counterparts shall be deemed an original instrument, but all of the counterparts shall constitute one and the same instrument. We will start the required services as soon we receive executed counterparts from each City. We will forward a fully executed copy to each City. If you have any questions, please do not hesitate to contact us.

Sincerely,

**NICHOLS, JACKSON, DILLARD
HAGER & SMITH, L.L.P.**

By: 
Peter G. Smith

PGS:tlo:48902

cc: Mayor Nancy Berry, City of College Station (*via email: nberry@cstx.gov*)
Mayor Jason Bienski, City of Bryan (*via email: jbienski@bryantx.gov*)

Agreed to and accepted:

CITY OF COLLEGE STATION

By: _____
David Neeley, City Manager

Agreed to and accepted:

CITY OF BRYAN

By: _____
Kean Register, Interim City Manager

April 28, 2011

Consent Agenda Item No. 2h

Water Meter Purchase Contract

To: David Neeley, City Manager

From: David Coleman, Director of Water Services

Agenda Caption: Presentation, possible action, and discussion regarding the approval of the water meter purchase contract with Aqua-Metric Sales Company for the amount of \$63,024.00.

Relationship to Strategic Goals: Financially sustainable city providing response to core services and infrastructure.

Recommendation: Staff recommends approval.

Summary: A large number of water meters are required for the new development called the "Cottages of College Station" located along the new Holleman Drive extension. This purchase contract will provide 60 water meters, size 1.5 inch, to be installed for the 480 unit development. The contract (#WM08-10) will purchase Sensus OMNI C2 water meters from Aqua-Metric Sales Company through the Houston-Galveston Area Council (HGAC) contract.

Aqua-Metric Sales Company is the HGAC contract dealer for Sensus water meter assemblies and related products. Products and services offered through HGAC have been subjected to either the competitive bid or competitive proposal format based on Texas statutes under the Local Government Code Chapter 252.

Considering the extended service life we have been getting from this type of meter the accuracy over the life of the meters and the purchase price, this purchase is an excellent value for our water utility.

Please note, the water meters approved for purchase at the prior City Council meeting were for our ongoing Meter Replacement Program, and both purchases are necessary.

Budget & Financial Summary: Funds are available and budgeted in the Water Fund.

Attachment:
HGAC Contract Pricing Worksheet



Contract Pricing Worksheets

Rev 02-05-07

NOTE: Purchase Orders are not valid unless a copy of the completed worksheet and the customer's order are faxed to HGACBuy at:
713-993-4548

This Workbook contains three versions of HGACBuy's Contract Pricing Worksheet. One is for Standard Equipment / Services, one is for Catalog or Price Sheet type purchases, and the third is for Motor Vehicles only. See tabs at bottom to select appropriate Worksheet.

Please contact H-GAC staff about use of the worksheets if you have any questions.
Toll Free - 800.926.0234

uestions.

**April 28, 2011
Consent Agenda Item No. 2i
RadiolP upgrade in EnRoute**

To: David Neeley, City Manager

From: Ben Roper, Information Technology Director

Agenda Caption: Presentation, possible action, and discussion regarding approval of a supplement to the original contract with EnRoute Public Safety, purchasing services to upgrade the RadiolP software for the Public Safety Systems for an amount not to exceed \$10,950.

Relationship to Strategic Goals: Goal I.8 Evaluate public safety needs.

Recommendation(s): Staff recommends approval.

Summary:

The new software version and upgrade services will allow College Station to utilize multiple paths for critical data communications between Public Safety Systems in Dispatch and Mobile devices in patrol vehicles. The current low data rate system is obsolete and being evaluated for replacement. Additionally, this system will not support more modern applications that require higher bandwidth than is available. This upgrade will support using Cellular communications to augment and provide back up for existing communications.

Budget & Financial Summary: Funds for this project are from the 2010 Byrne Justice Assistance Grant 2010-DJ-BX-0423.

Attachments:

Customer Order Form for upgrade services



Customer Order Form

Multi-Element Existing Customer

TERMS AND CONDITIONS:

1. This Customer Order Form (COF), together with any software, hardware, professional services or software support services which are the subject of this Order, shall be subject to the terms and conditions of the existing Agreement(s) between EnRoute Emergency Systems LLC ("EnRoute"), the particulars of which are set out below. Except as otherwise provided herein, the terms and conditions of the said Agreement(s) are incorporated herein by reference including definitions.
2. By signing this COF, Customer represents and warrants that it has obtained all necessary authorizations and approvals to execute this COF and enter into this agreement with EnRoute.
3. Upon receipt of the signed COF EnRoute will schedule the services described above and order the Third Party Software and/or Hardware. EnRoute will not be obligated to deliver any goods or services until the required down payment stated below has been received.
4. EnRoute will invoice Customer for the Software and/or Hardware and Customer shall pay such invoice within thirty (30) days of invoice date. EnRoute will perform services as requested by Customer. Customer will be billed for Services as incurred (i.e. upon completion of each individual deliverable each of which is represented by a line item above). Customer's payment of each invoice is due within 30 days of invoice date.
5. Delivery for all products shipped is FOB Shipping Point.
6. The above prices will be held for ninety (90) days from the date of the Order Form.
7. If it is determined that additional Software, and/or additional services are required that are outside of the scope of this COF, such products, licenses and/or services may be provided on a separate Customer Order Form at EnRoute's then-current rate for those products and/or services
8. All items related to this Order must be utilized within one year of signing this Order. No refunds or credits are issued for service hours committed but not utilized within such one-year period.
9. Support Fees for newly licensed products will begin upon Delivery of the Software and may be prorated to the end of the current Support Term.
10. No changes or modifications of any kind to this Order shall be accepted after execution unless signed in writing by both parties.
11. Prior to making any modifications for custom programming, the Customer and EnRoute must approve the specifications by signing any necessary Functional Specification Document or such other form as to which the parties agree.
12. Any purchase order or similar document (other than a mutually executed and delivered Customer Order Form) that may be issued by the undersigned Customer in connection with this Customer Order Form does not modify this Customer Order Form or the Agreement to which it pertains. No such modification will be effective unless it is in writing, is signed by each party, and expressly provides that it amends this Customer Order Form (or as applicable, the Agreement).

Particulars of Existing Agreement(s) between EnRoute Emergency Systems LLC, (where applicable, as successor in interest to the Geac Public Safety division of Geac Enterprise Solutions, Inc.), and the Customer:

6) Agreement for System & Services dated 2/21/2003 being Agreement No 102-S040406A

Effective date of this form:

4/18/2011

(the Order Form Date)

Customer: City of College Station Ship To Contact: Kevin Joyner Address 310 KrenekTap Road City, State Zip College Station, TX 77842 USA E-mail: kjoyner@cstx.gov FAX #: (979) 764-3664 Phone #: (979) 764-3645	Order #: 102-1101051120
	Rev #: 4
	Date: 4/18/2011
	Cust #: 102
	Req. by: M. Williams
	Customer PO #:
Existing Agreement Details	
Bill To Contact: Kevin Joyner Address 310 KrenekTap Road City, State Zip College Station, TX 77842 USA E-mail: kjoyner@cstx.gov FAX #: (979) 764-3664 Phone #: (979) 764-3645	1 Systems and Services
	Dated February 21, 2003
	Number 102-S040406A
	2 N/A
	Dated N/A
	Number N/A

I. Component Systems

Process Type:

Part # (if applicable)	Component System	Quantity	License Fee	Annual Support
1	Next Generation Mobile VPN Gateway	1	\$196.00	\$280.00
2	Next Generation Mobile VPN Premium Gateway Option	1	\$392.00	\$560.00
3	Next Generation Mobile VPN Client	77	\$1,131.90	\$2,156.00
4	Next Generation Mobile Premium VPN Client Option	77	\$756.14	\$1,617.00
TOTALS			\$2,476.04	\$4,613.00

* If specified in the User Restriction field:

III. Support Services

Annual Escalation Percentage Cap: 6% of the then-current Consumer Price Index, whichever is greater.

*** If the Initial Term is less than or more than 12 months, the Fee for Initial Term of Support represents a proportional amount of the Support Fee based on the anticipated delivery date.

Payment is due within 30 days of Order Form Date.
All amounts are US Dollars unless otherwise specified.

Other Fees
Currency: USD

Equipment _____
Computer Platform: _____
Operating System: _____
Location: 310 KrenekTap Road
College Station, TX 77842 USA

Account ID: 102
Sales Rep ID: 10862
Sales Rep : M. Williams

Serial Number: _____

Model: _____
DBMS: _____

(if blank, the Delivery Address shall be used for Invoicing):

Delivery Address: City of College Station
310 KrenekTap Road
College Station, TX 77842 USA
Contact Name: Kevin Joyner
Contact Title: _____
Contact Phone: 9797643645
Contact eMail: kjoyner@cstx.gov

Invoice Address: City of College Station
310 KrenekTap Road
College Station, TX 77842 USA
Kevin Joyner
9797643645
kjoyner@cstx.gov

Delivery is FOB Shipping Point.

THE PARTIES have executed this Order Form through the signatures of their respective authorized representatives.

Customer: EnRoute Emergency Systems LLC

Signature _____ Signature _____

Typed or Printed Name _____ Typed or Printed Name _____

Title _____ Date _____ Title _____ Date _____

CITY OF COLLEGE STATION

By: _____
Mayor

Date: _____

ATTEST:

City Secretary
Date: _____

APPROVED:

City Manager
Date: _____

City Attorney
Date: _____

Chief Financial Officer
Date: _____



Customer Order Form

Services Only

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5. Delivery for all products shipped is FOB Shipping Point.
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7. If it is determined that additional Software, and/or additional services are required that are outside of the scope of this COF, such products, licenses and/or services may be provided on a separate Customer Order Form at EnRoute's then-current rate for those products and/or services
8. All items related to this Order must be utilized within one year of signing this Order. No refunds or credits are issued for service hours committed but not utilized within such one-year period.
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6) Agreement for System & Services dated 2/21/2003 being Agreement No 102-S040406A

Effective date of this form: 4/18/2011 ('the Order Form Date)

Customer: City of College Station Ship To Contact: Kevin Joyner Address 310 KrenekTap Road City, State Zip College Station, TX 77842 USA E-mail: kjoyner@cstx.gov FAX #: (979) 764-3664 Phone #: (979) 764-3645	Order #: 102-1101051120
	Rev #: 4
	Date: 4/18/2011
	Cust #: 102
	Req. by: M. Williams
	Customer PO #:
Existing Agreement Details	
Bill To Contact: Kevin Joyner	1 Systems and Services
Address 310 KrenekTap Road	Dated February 21, 2003
City, State Zip College Station, TX 77842 USA	Number 102-S040406A
E-mail: kjoyner@cstx.gov	2 N/A
FAX #: (979) 764-3664	Dated N/A
Phone #: (979) 764-3645	Number N/A

II. Professional Services

	Part # (if applicable)	Service Description	Process Type	Estimate Hours	Fees
1	PSGSVC2	Product On-Site Installation	MISC FEE	35	\$6,125.00
Total Services Fee					\$6,125.00

Payment is due within 30 days of Order Form Date.
 All amounts are US Dollars unless otherwise specified.

Currency: USD
Total Amount Due (before applicable taxes) \$6,125.00

Maximum Travel/Shipping Expenses	U/M	Qty	Total
Weekly Expenses - Meals, Hotel, Transportation, Parking and Air Fare	Lot	1	\$4,825
			\$4,825
Travel/Shipping Expenses - Billed at actual as incurred			

Equipment _____
 Computer Platform: _____
 Operating System: _____
 Location: 310 KrenekTap Road
 College Station, TX 77842 USA

 Serial Number: _____

 Model: _____
 DBMS: _____

Account ID: 102
 Sales Rep ID: 10862
 Sales Rep : M. Williams

Delivery Address: City of College Station
 310 KrenekTap Road
 College Station, TX 77842 USA
 Contact Name: Kevin Joyner
 Contact Title: _____
 Contact Phone: 9797643645
 Contact eMail: kjoyner@cstx.gov

Invoice Address: City of College Station
 Address shall be used
 for Invoicing): 310 KrenekTap Road
 College Station, TX 77842 USA
 Contact Name: Kevin Joyner
 Contact Title: _____
 Contact Phone: 9797643645
 Contact eMail: kjoyner@cstx.gov

Delivery is FOB Shipping Point.

THE PARTIES have executed this Order Form through the signatures of their respective authorized representatives.

Customer _____ EnRoute Emergency Systems LLC

Signature _____ Signature _____

Typed or Printed Name _____ Typed or Printed Name _____

Title _____ Date _____ Title _____ Date _____

CITY OF COLLEGE STATION

By: _____
Mayor

Date: _____

ATTEST:

City Secretary
Date: _____

APPROVED:

City Manager
Date: _____

City Attorney
Date: _____

Chief Financial Officer
Date: _____

April 28, 2011
Regular Agenda Item No. 1
Public Hearing and Consideration of Budget Amendment # 2

To: David Neeley, City Manager

From: Jeff Kersten, Chief Financial Officer

Agenda Caption: Public Hearing, presentation, possible action, and discussion on an ordinance Budget Amendment #2 amending ordinance number 3290 which will amend the budget for the 2010-2011 Fiscal Year in the amount of \$1,600,000.

Recommendation(s): Staff recommends the City Council hold the public hearing on Budget Amendment #2 and approve the budget amendment ordinance.

Summary: The proposed budget amendment is to increase the General Fund appropriation for the Weingarten settlement in the amount of \$1,600,000. The charter of the City of College Station provides for the City Council to amend the annual budget in the event there are revenues available to cover increased expenditures and after holding a public hearing on such budget amendment. This item will be funded out of the General Fund fund balance which can be used for one-time expenditures.

The settlement agreement was approved unanimously by the City Council at the March 24, 2011 City Council Meeting.

Budget & Financial Summary: The City has resources to cover the appropriation in this budget amendment. \$1,600,000 is for the Weingarten litigation settlement.

Attachments:

1. Ordinance

ORDINANCE NO. _____

AN ORDINANCE (BUDGET AMENDMENT 2) AMENDING ORDINANCE NUMBER 3290 WHICH WILL AMEND THE BUDGET FOR THE 2010-2011 FISCAL YEAR AND AUTHORIZING AMENDED EXPENDITURES AS THEREIN PROVIDED.

WHEREAS, the City Council of the City of College Station, Texas, approved its Budget Ordinance for the 2010-2011 Fiscal Year on September 13, 2010; and

WHEREAS, the City Council of the City of College Station, Texas, desires to amend the approved Budget Ordinance; and

WHEREAS, this amendment was prepared and presented to the City Council and a public hearing held thereon as prescribed by law and the Charter of the City of College Station, Texas, after notice of said hearing having been first duly given; now, therefore,

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

Part 1: That Part 1 of the Budget Ordinance for the 2010-2011 Fiscal Year is amended to read as follows:

"**PART 1:** That the proposed budget as amended by the City Council of the City of College Station, which is made a part hereof to the same extent as if set forth at length herein, is hereby adopted and approved, a copy of which is on file in the Office of the City Secretary in College Station Texas. Amended appropriations for fiscal year 2010-2011 for the General Fund are \$61,893,863. All other appropriations as originally adopted and amended by the City Council remain in full force and effect."

Part 2: That this ordinance shall become effective immediately after passage and approval.

PASSED and APPROVED this _____ day of _____, 2011.

ATTEST:

APPROVED:

City Secretary

Mayor

APPROVED:

Carla A Robinson

City Attorney

April 28, 2011
Regular Agenda Item No. 2
Longmire Drive On-street Parking Removal

To: David Neeley, City Manager

From: Troy Rother, P.E., Traffic Engineer

Agenda Caption: Public Hearing, presentation, possible action and discussion of an ordinance amending Chapter 10 "Traffic Code", to remove parking along the east side of Longmire Drive between FM 2818 and Valley View Drive and on Valley View Drive west of the Longmire intersection.

Relationship to Strategic Goals: Goal I, Financially Sustainable City Providing Response to Core Services and Infrastructure. Goal IV, Improving Multi Modal Transportation.

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

Summary: This ordinance will remove the existing on-street parking between FM 2818 and Valley View Drive and allow the bike lane to be striped adjacent to the roadway curb, which is the typical bike lane installation in the city. Additionally, the ordinance will remove some parking on Valley View to delineate where vehicles can park on Valley View to replace the parking being removed on Longmire.

During a September 2008 Council meeting, a compromise to balance the need for bike lanes and on-street parking was approved. This plan changed the roadway cross section from parking on both sides of the street with two-way traffic to parking on the east side of the street only, bike lanes on both sides of the street, and two-way traffic. Since then concerns about bicyclists' safety and driver expectancy have been expressed even though the roadway striping meets the standards of the Texas Manual on Uniform Traffic Control Devices.

The city's Traffic Management Team reviewed the issue and recommends the removal of the on-street parking on the east side of Longmire to eliminate the safety concerns and meet driver expectancy. Similar interest was expressed during a recent Council Transportation Committee meeting.

This item was presented at the January 27, 2011 City Council meeting. Council asked for staff to look at parking alternatives and allow the property owner time to seek parking arrangements with an adjacent business.

Staff has evaluated the parking areas and met with the property owner concerned with the loss of parking on Longmire. The property owner asked if the parking spaces along Valley View could be striped. Staff recommends that the parking area be identified by placing No Parking signs which will accomplish the same result, but are less expensive to install and maintain. To accommodate this request, the parking restrictions on Valley View have been added to this item.

Due to the existing poor pavement condition of Longmire between FM 2818 and Valley View, the Public Works Department has plans to rehab this section of the roadway. Once the street is reconstructed, it will need to be restriped for traffic. If the ordinance is passed, the roadway will be striped with bike lanes and two-way traffic. If the ordinance is not passed, the existing striping will be reinstalled.

Notices informing the residents about tonight's meeting and the proposed parking removal were mailed during the week of January 17, 2011.

Budget & Financial Summary: The "NO PARKING" signs are planned operation and maintenance expenses accounted for in the Public Works Traffic Operation budget.

Attachments:

1. Ordinance
2. Project Location Map

ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 10, "TRAFFIC CODE" SECTION 4 "ADMINISTRATIVE ADJUDICATION OF PARKING VIOLATIONS", E "PARKING REGULATIONS FOR CERTAIN DESCRIBED AREAS" OF THE CODE OF ORDINANCES OF THE CITY OF COLLEGE STATION, TEXAS, BY AMENDING SCHEDULE XII; 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" SECTION 4 "ADMINISTRATIVE ADJUDICATION OF PARKING VIOLATIONS", E "PARKING REGULATIONS FOR CERTAIN DESCRIBED AREAS" SCHEDULE XII, 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 liable for a civil offense and/or guilty of a Class C misdemeanor, and, upon a finding of liability thereof, shall be punished by a civil penalty of not less than One Dollar (\$1.00) nor more than Two Thousand Dollars (\$2,000.00), or upon conviction thereof, shall be punished by a fine of not less than Twenty-five Dollars (\$25.00) nor more than Five Hundred Dollars (\$500.00). Said Ordinance becomes effective ten (10) days after date of passage by the City Council, as provided by Section 35 of the Charter of the City of College Station.

ORDINANCE NO. _____

Page 2

PASSED, ADOPTED and APPROVED this _____ day of _____, 2011.

APPROVED:

MAYOR

ATTEST:

City Secretary

APPROVED:

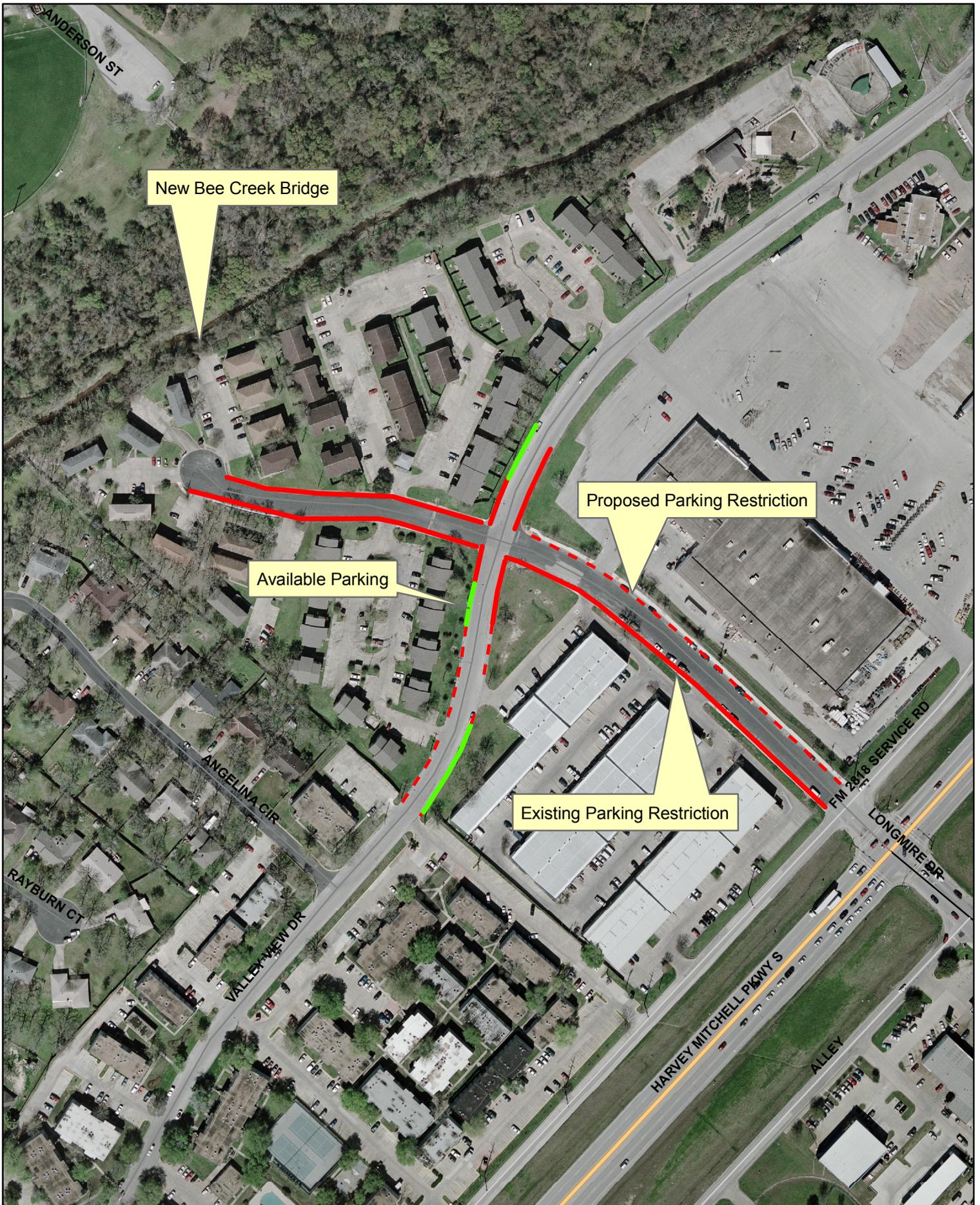


City Attorney

EXHIBIT "A"

That the Traffic Control Device Inventory - Schedule XII (dated August 18, 2008) as referenced in CHAPTER 10, "TRAFFIC CODE" SECTION 4 "ADMINISTRATIVE ADJUDICATION OF PARKING VIOLATIONS", E "PARKING REGULATIONS FOR CERTAIN DESCRIBED AREAS" and SCHEDULE XII is hereby amended by including the following:

Longmire Drive – No Parking on Longmire Drive between FM 2818 and Valley View Drive.



New Bee Creek Bridge

Available Parking

Proposed Parking Restriction

Existing Parking Restriction

Proposed Longmire Drive Parking Removal

0 100 200
Feet



April 28, 2011
Regular Agenda Item No. 3
Impact Fees for Water/Wastewater

To: David Neeley, City Manager

From: Dave Coleman, Director of Water Services

Agenda Caption: Public Hearing, presentation, possible action, and discussion regarding the possible implementation of "system capacity" impact fees for Water and Wastewater.

Relationship to Strategic Goals: Financially sustainable city providing response to core services and infrastructure.

Recommendation: Staff recommends that Council direct staff to either:

- a) Terminate the process for impact fees and keep the five existing impact fee lines; or
- b) Create an ordinance (to be considered on May 12th) that would implement the system-wide impact fees at some dollar amount greater than zero, and eliminate the five existing impact fee lines for developments that plat in the future.

Summary: On November 22, 2010 City Council directed staff to proceed with the required analysis regarding potential impact fees for the Water and Wastewater utility systems. If implemented, these impact fees would provide revenue to pay a portion of the cost to increase the capacity of these utility systems, thereby reducing the financial burden placed on the rate paying customers. Please note that, even if implemented at the maximum, impact fees will only play a partial role in funding needed infrastructure improvements.

The steady growth of College Station is very likely to continue, which means a significant investment will be required for the water and wastewater systems to meet the expected demand increases over the next 20 years. The resulting capital projects can be funded from a variety of sources, including:

- Rate revenue, with moderate rate increases
- Revenue bonds or certificates of obligation, typically 20-year instruments that are repaid with rate revenue from utility customers
- Special Districts, such as TIF, TIRZ, PID, etc. for property tax sharing
- System-capacity impact fees
- Special area impact fees, specific to certain utility lines
- Oversize Participation to create excess capacity for the future

Please note: These alternative funding mechanisms can potentially provide supplemental revenue to mitigate future rate increases. But if they are implemented, rate increases would still be required to provide adequate revenue for the necessary capital projects.

Since November, staff and our consultant, HDR Engineers, have completed the study of the underlying land use assumptions, capital improvements, future growth projections, and rate credits to calculate the maximum impact fees. This information is compiled in an Impact Fee Report that was approved by the Capital Improvements Advisory Committee (CIAC).

The CIAC recommended to City Council that the Impact Fees be implemented at zero dollars, and that the existing five impact fee lines remain in effect as they are. The CIAC made this recommendation based largely on the premise that our economy is not strong enough for impact fees, and that their implementation would harm the local market for new

housing. On March 10, 2011 Dr. Jim Gaines of the Texas A&M Real Estate Center spoke to City Council, and provided a summary on the health of our local economy, and then hosted a "question and answer" session.

The final decision (whether to implement the system-wide impact fees) is a Policy decision of whether to continue our existing system, whereby the utility customers pay for all system capacity increases through their rates, or alternatively, to offset the financial burden on the customers by having new development pay impact fees when obtaining a building permit. After legal review, we have concluded that we cannot implement the system-wide impact fees at zero, and continue to charge the existing impact fee lines, because State law prohibits assessing more than one impact fee. Staff recommends the Council choose one or the other: Either the system-wide impact fees, or the existing impact fee lines. Based on Council's direction, staff will either terminate the impact fee study, or create an Ordinance to implement system-wide impact fees for consideration at the May 12th Council meeting.

Budget & Financial Summary: Not applicable

Attachment: None

**April 28, 2011
Regular Agenda Item No. 4
100 Graham Road Rezoning**

To: David Neeley, City Manager

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

Agenda Caption: Public Hearing, presentation, possible action, and discussion regarding an amendment to Chapter 12, "Unified Development Ordinance," Section 4.2, "Official Zoning Map" of the Code of Ordinances of the City of College Station, Texas by rezoning 1.70 acres located at 100 Graham Road near the intersection of Graham Road and F.M. 2154 from M-1 Light Industrial to C-3 Light Commercial.

Relationship to Strategic Goals: Financially Sustainable City Providing Response to Core Services and Infrastructure, Neighborhood Integrity, and Diverse Growing Economy.

Recommendation(s): The Planning and Zoning Commission considered this item at their April 7, 2011 meeting and voted 5-0 to recommend approval. Staff also recommended approval of the request.

Summary: The Unified Development Ordinance provides the following review criteria for zoning map amendments:

REVIEW CRITERIA

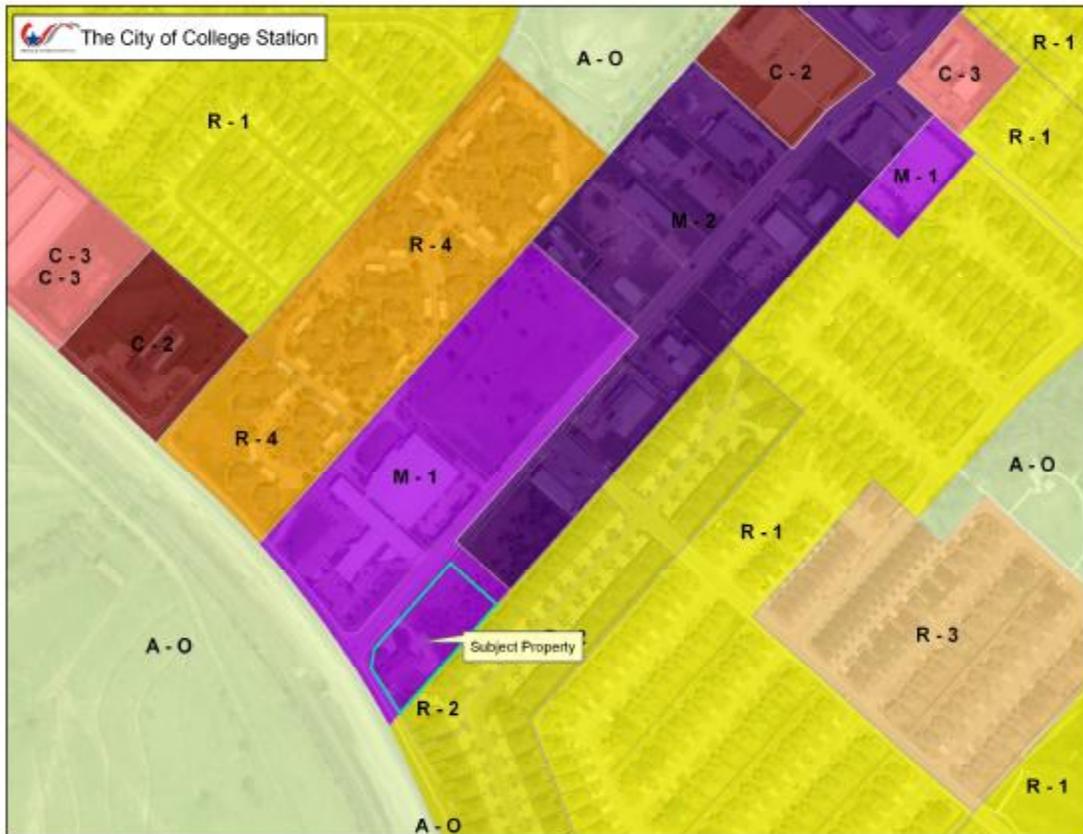
1. Consistency with the Comprehensive Plan: The subject property is designated Suburban Commercial on the Comprehensive Plan Future Land Use and Character Map. The Suburban Commercial land use designation is "generally for concentrations of commercial activities that cater primarily to nearby residents versus the larger community or region. Generally, these areas tend to be small in size and are located adjacent to major roads (arterials and collectors). Design of these structures should be compatible in size, roof type and pitch, architecture, and lot coverage with the surrounding single-family uses." The proposed change in zoning classification from M-1 Light Industrial to C-3 Light Commercial is consistent with the Suburban Commercial Future Land Use designation. Uses such as offices, personal service shops, and retail sales, which are allowed by right by the C-3 Light Commercial zoning district, are compatible with the uses intended for areas with a Suburban Commercial Future Land Use designation.

The Comprehensive Plan states that small-scale office and neighborhood retail uses are appropriate directly adjacent to the neighborhood provided that they are an integrated component of the neighborhood with adequate buffering and transition for noise, light, and parking intrusions. A change in zoning classification from light industrial to light commercial will enable a better land use transition between industrial and residential uses than is currently possible.

Additionally, the structure that currently exists on the property is similar in style, size and roof pitch with the surrounding residential structures. If in the future if this site were redeveloped, a C-3 Light Commercial zoning classification would require any structure built on the property to meet the Non-Residential Architecture Standards of Article 7 of the City of College Station Unified Development Ordinance. Under the current

M-1 Light Industrial zoning classification any new structures constructed on this site are not required to meet the Non-Residential Architectural Standards.

- 2. Compatibility with the present zoning and conforming uses of nearby property and with the character of the neighborhood:** The properties to the south and the east of the subject property are currently zoned and develop as residential duplexes while the properties to the north are currently zoned and developed as light industrial uses. The proposed change in zoning classification from light industrial to light commercial would allow this property to develop with uses that are more compatible with the surrounding residential properties than those uses allowed by right under the current zoning classification such as outdoor storage of equipment and materials, research laboratories, warehousing and distribution centers, and retail wholesales and services.
- 3. Suitability of the property affected by the amendment for uses permitted by the district that would be made applicable by the proposed amendment:** The requested change from a M-1 Light Industrial to a C-3 Light Commercial zoning classification represents uses that the Comprehensive Plan anticipates as being suitable for this area. The types of uses allowed by a C-3 zoning classification are compatible with the surrounding light industrial uses and residential uses which currently exist in the vicinity of subject property.
- 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:** Due to the subject property's close proximity to residential dwelling units, some uses, which are allowed under the subject property's current M-1 Light Industrial zoning district, are not suitable for this location. The structure that currently exists on the subject property is used as offices which is allowed by both the current zoning classification and the proposed zoning classification.
- 5. Marketability of the property affected by the amendment for uses permitted by the district applicable to the property at the time of the proposed amendment:** The subject was zoned for industrial uses in 1993; however, since that time it has remained undeveloped except for the existing office building that was built sometime in the 1980's. There are 14.72 acres of developed, M-1 Light Industrial zoned property in the vicinity of the subject property. Of the 14.72 acres of property zoned for light industrial uses, 9.22 acres are currently developed and 5.55 acres are undeveloped.



There are currently 19.24 acres of property zoned for C-3 Light Commercial uses in the City of College Station; 18.56 acres of which are developed and 0.68 acres are undeveloped.

6. **Availability of water, wastewater, stormwater, and transportation facilities generally suitable and adequate for the proposed use:** The subject tract is adjacent to a 12-inch water main and separate 12-inch wastewater main which runs along Graham Road. This property is located within the Graham Road Sanitary Sewer Impact Fee Area (\$316.07/LUE) and is located in the Lick Creek Drainage Basin. However, the subject property is not located within a FEMA regulated Special Flood Hazard Area. Further development of this site will be required to be in compliance with the City's Storm Water Design Guidelines. This site will continue to take access to Graham Road, which is designated as a 2 Lane Major Collector – Suburban Context on the City's Thoroughfare Plan. The existing infrastructure serving this site would adequately serve any new or future redevelopment of this site for uses allowed in C-3 Light Commercial zoning districts.

Budget & Financial Summary: N/A

Attachments:

1. Background Information
2. Small Area Map (SAM) & Aerial
3. Ordinance

BACKGROUND INFORMATION:

NOTIFICATIONS

Advertised Commission Hearing Date: April 7, 2011

Advertised Council Hearing Dates: April 28, 2011

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

Edelweiss Gartens Neighborhood Association

Property owner notices mailed: 20

Contacts in support: None at the time of staff report.

Contacts in opposition: None at the time of staff report.

Inquiry contacts: Two residents had questions regarding the types of uses allowed by right in C-3 Light Commercial zoning districts.

ADJACENT LAND USES

Direction	Comprehensive Plan	Zoning	Land Use
North	Suburban Commercial across Graham Road (Major Collector)	M-1 Light Industrial across Graham Road / M-2 Heavy Industrial to the Northeast	Light Industrial/Manufacturing Facility across Graham Road / Vacant to the Northeast
South	General Suburban	R-2 Duplex Residential	Duplexes
East	General Suburban	R-2 Duplex Residential	Duplexes
West	Business Park across F.M. 2154 (Major Arterial)	A-O Agricultural Open	Vacant

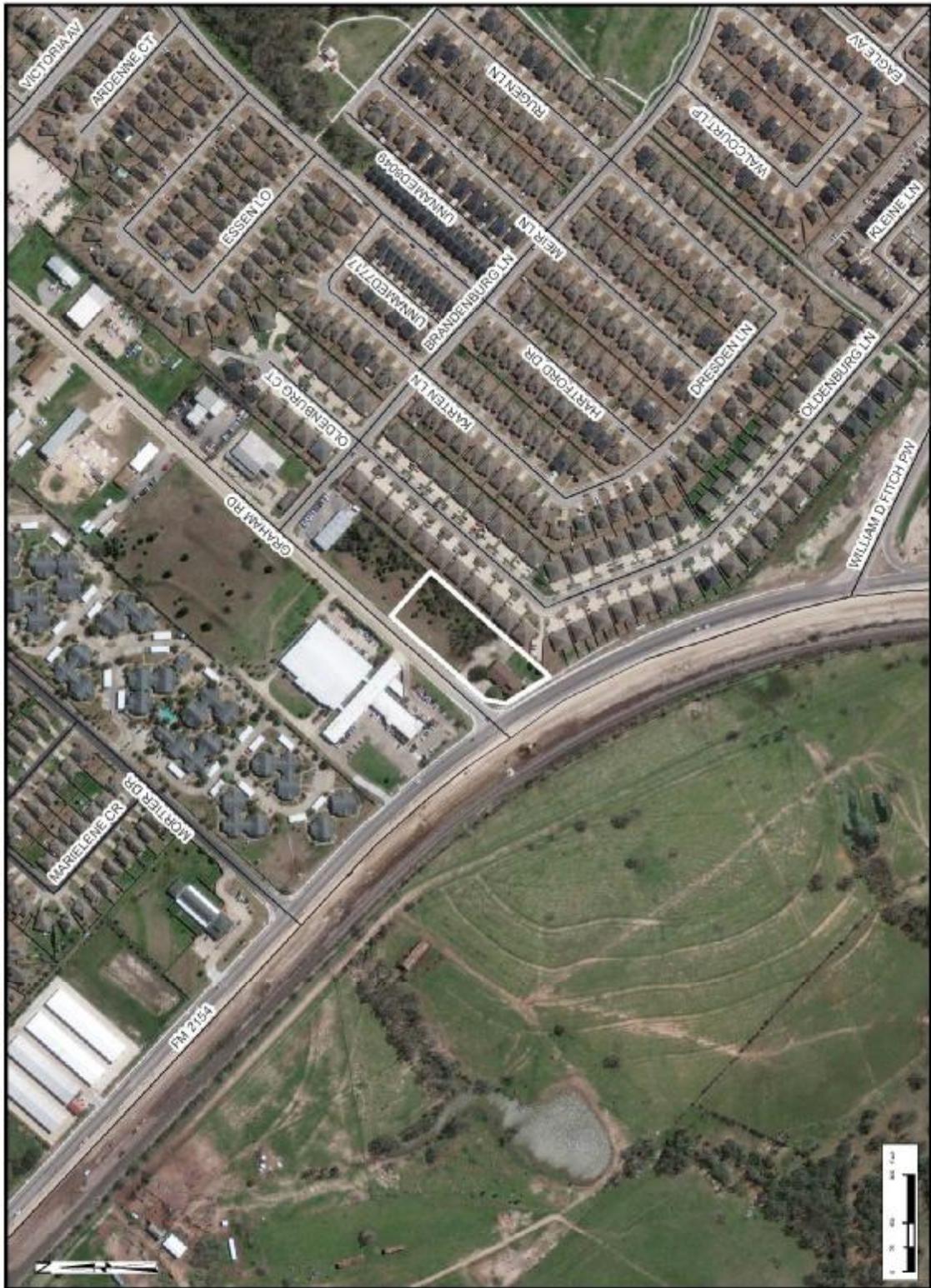
DEVELOPMENT HISTORY

Annexation: 1992

Zoning: A-O Agricultural Open to M-1 Light Industrial (1993)

Final Plat: Unplatted

Site development: 5,400 square foot office building (built sometime in the 1980's).

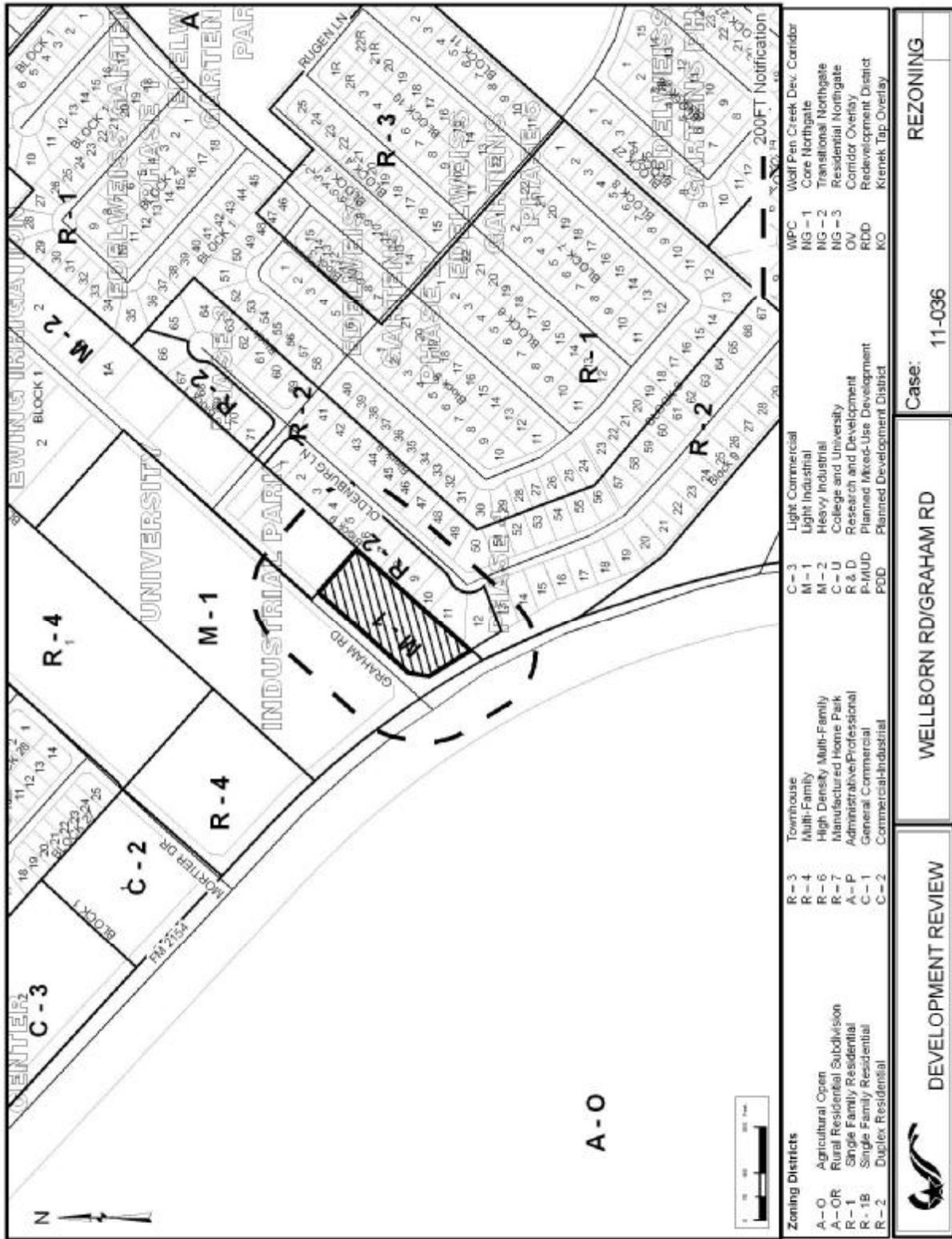


REZONING
Case: 11-036

WELLBORN RD/GRAHAM RD

DEVELOPMENT REVIEW







MINUTES
PLANNING & ZONING COMMISSION
Regular Meeting
April 7, 2011, 7:00 p.m.
City Hall Council Chambers
1101 Texas Avenue
College Station, Texas

COMMISSIONERS PRESENT: Chairman Scott Shafer, Mike Ashfield, Jodi Warner, Hugh Stearns, and Bo Miles

COMMISSIONERS ABSENT: Doug Slack and Craig Hall

CITY COUNCIL MEMBERS PRESENT: None

CITY STAFF PRESENT: Jennifer Prochazka, Jason Schubert, Matt Robinson, Matthew Hilgemeier, Joe Guerra, Carol Cotter, Molly Hitchcock, Lance Simms, Bob Cowell, Carla Robinson, Carrie McHugh, Deborah Grace-Rosier, and Brittany Caldwell

1. Call meeting to order.

Chairman Shafer called the meeting to order at 7:05 p.m.

Regular Agenda

5. Public hearing, presentation, possible action, and discussion regarding a request to rezone 1.70 acres located at 100 Graham Road at the intersection of Graham Road and F.M. 2154 from M-1 Light Industrial to C-3 Light Commercial. **Case # 11-0050036 (MKH) (Note: Final action on this item is scheduled for the April 28, 2011 City Council Meeting--subject to change)**

Staff Planner Hilgemeier presented the rezoning request and recommended approval.

Chairman Shafer opened the public hearing.

No one spoke during the public hearing.

Chairman Shafer closed the public hearing.

Commissioner Stearns motioned to recommend approval of the rezoning request. Commissioner Miles seconded the motion, motion passed (5-0).

12. Adjourn.

Commissioner Warner motioned to adjourn the meeting. Commissioner Stearns seconded the motion, motion passed (5-0).

ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 12, "UNIFIED DEVELOPMENT ORDINANCE," SECTION 4.2, "OFFICIAL ZONING MAP," OF THE CODE OF ORDINANCES OF THE CITY OF COLLEGE STATION, TEXAS, BY CHANGING THE ZONING DISTRICT BOUNDARIES AFFECTING CERTAIN PROPERTIES AS DESCRIBED BELOW; 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," Section 4.2, "Official Zoning Map," 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 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 35 of the Charter of the City of College Station.

PASSED, ADOPTED and APPROVED this 28th day of April, 2011

APPROVED:

MAYOR

ATTEST:

City Secretary

APPROVED:

Carla A Robinson

City Attorney

EXHIBIT "A"

That Chapter 12, "Unified Development Ordinance," Section 4.2, "Official Zoning Map," of the Code of Ordinances of the City of College Station, Texas, is hereby amended as follows:

The following property is rezoned from M-1 Light Industrial to C-3 Light Commercial as described and shown graphically below:

1.70 ACRES

Being all the certain tract or parcel of land lying and being situated in the ROBERT STEVESON LEAGUE, Abstract No. 54, in College Station, Brazos County, Texas and being part of the called 1.96 acre tract described in the deed from Micon Inc. to B. Don Russell and Kenneth P. Martin recorded in Volume 518, Page 851 of the Brazos County Deed Record (B.C.D.R.) and being more particularly described by metes and bounds as follows:

BEGINNING: at the east corner of the called 1.96 acre tract, the south corner of a called 1.4632 acre Sall Narinder and Ajit Singh Punia tract recorded in Volume 6753, Page 281 of the Official Records of Brazos County Texas (O.R.B.C.) and being in the northwest line of Block 9 EDELWEISS GARTENS, PHASE FOUR recorded in Vol. 5199, Page 287 (O.R.B.C.);

THENCE: S 45° 08' 00" W along the common line of the 1.96 acre tract and said EDELWEISS GARTENS, PHASE FOUR for a distance of 430.47 feet to the south corner of this tract, said corner also marking the southeast corner of a 0.21 acre State of Texas tract recorded in Volume 7832, Page 67 (O.R.B.C.);

THENCE: along the southeast line of the said 0.21 acre State of Texas tract for the following two (2) calls:

- 1) N 28° 28' 35" E for a distance of 159.05 feet for corner and
- 2) N 12° 57' 59" E for a distance of 59.88 feet to the northeast corner of said 0.21 acre tract, said corner also being in the southeast line of a 0.0485 acre City of College Station tract recorded in Volume 4139, Page 39 (O.R.B.C.);

THENCE: N 45° 16' 36" E along the southeast line of the said 0.0485 acre tract, said line being common with the southeast line of Graham Road for a distance of 338.05 feet to the north corner of this tract, said corner also being in the northeast line of the called 1.96 acre tract and the southwest line of the called 1.4632 acre tract;

THENCE: S 44° 43' 02" E along the beforesaid common line for a distance of 184.35 feet to the POINT OF BEGINNING and containing 1.70 Acres of land, more or less.

April 28, 2011
Regular Agenda Item No. 5
Rezoning for 3180 Cain Road

To: Glenn Brown, City Manager

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

Agenda Caption: Public Hearing, presentation, possible action and discussion regarding a Rezoning for 3180 Cain Road of 19.575 acres from A-O Agricultural Open to C-1 General Commercial, R-3 Townhouse and R-4 Multi-Family located at 3180 Cain Road and more generally located west of the intersection of Old Wellborn Road and Cain Road.

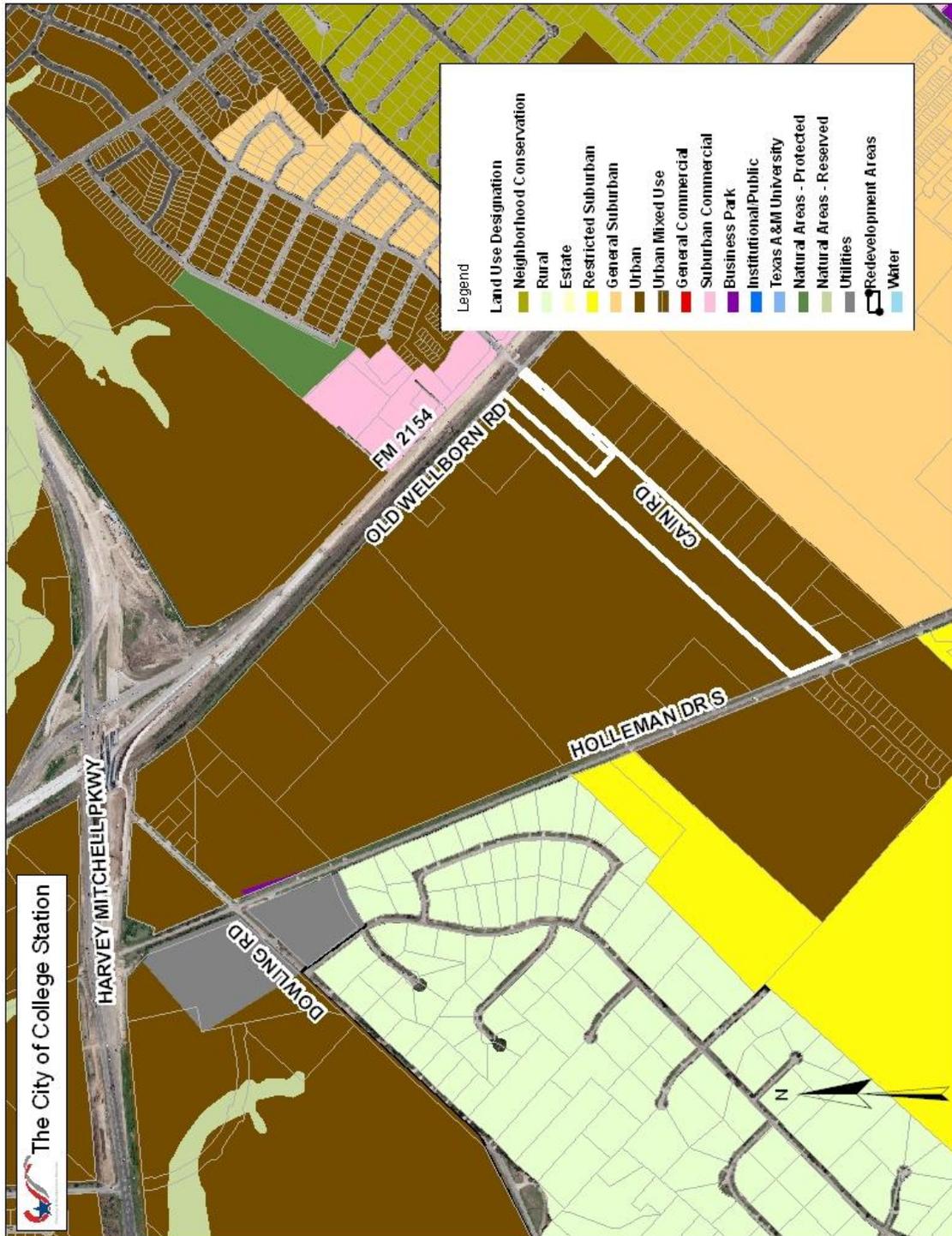
Recommendation(s): The Planning and Zoning Commission considered this item at their November 18, 2010 meeting and voted 7-0 to recommend denial. Staff also recommended denial of the request.

Summary: The Unified Development Ordinance provides the following review criteria for zoning map amendments:

REVIEW CRITERIA

- 1. Consistency with the Comprehensive Plan:** The subject property is designated as Urban on the Future Land Use and Character Map of the Comprehensive Plan and is located within Growth Area Five. Under the Urban designation in Growth Area Five, intense land use activities including general commercial, office uses, townhomes, high-density apartments, and vertical mixed-use are appropriate land uses. As proposed, the applicant is requesting three zoning designations on the property, which includes 12 acres of R-3 Townhouse; 6.3 acres of R-4 Multi-Family; and 1.2 acres of C-1 General Commercial. While the zoning designations allow uses that are consistent with the Comprehensive Plan, they also allow uses that are not. These uses include single-family detached residences, which would be allowed in the R-3 Townhouse zoning district and duplexes, which would be allowed in the R-4 Multi-Family zoning district.

- 2. Compatibility with the present zoning and conforming uses of nearby property and with the character of the neighborhood:** Currently, the surrounding properties are all zoned A-O Agricultural Open with uses consisting of single-family residences, manufactured homes, commercial strip centers and a self-storage business. In addition, there are several properties that are currently vacant. With the exception of the single-family residences, none of the existing uses are allowed under the current zoning A-O zoning designation. However, these uses existed prior to annexation and as such are allowed to continue as is. Single-family residences and townhomes would be compatible at this time, but the subject property as well as the surrounding properties are designated as Urban on the Future Land Use and Character Map in the Comprehensive Plan and as such are intended for a higher intensity of land use than what currently exists.



3. Suitability of the property affected by the amendment for uses permitted by the district that would be made applicable by the proposed amendment: The requested zoning changes are generally representative of uses that the Comprehensive Plan anticipates as being suitable for this area. However, the proposed zoning designations of R-3 Townhouse and R-4 Multi-Family, allow uses that would not be suitable for the area. This includes the ability to develop single-family detached residences and duplexes, which would be at much lower land use intensity than what is currently planned for the area. Infrastructure in the area is currently inadequate to serve

additional development and improvements constructed by the City at taxpayer's cost, will be needed even for the least intense uses as Cain Road is not currently built to City standards. Additionally, a local street(s) would need to be provided for any development consisting of single-family detached homes, townhomes or duplexes as these uses are not permitted to take direct access to a collector street (Cain Road). Without improvements to the current street system, the property is not suitable for the type and intensity of development proposed by the applicant or planned by the City.

4. **Suitability of the property affected by the amendment for uses permitted by the district applicable to the property at the time of the proposed amendment:** The property is currently zoned A-O, Agricultural Open, which allows for agricultural, low-intensity residential and open space uses. These uses may not be suitable for this property due to the existing commercial businesses and duplexes existing on or adjacent to the subject property. Additionally, the Future Land Use and Character Map of the Comprehensive Plan designates the area as Urban, which is intended for the most intense land use activities. As such, A-O land use activities will eventually become less and less suitable as the surrounding properties develop.
5. **Marketability of the property affected by the amendment for uses permitted by the district applicable to the property at the time of the proposed amendment:** The marketability of the property is limited under the current A-O, Agricultural Open zoning designation, which limits potential development to agricultural, low-intensity residential or open space uses. Through the rezoning, the applicant is seeking to enhance the marketability of the property.
6. **Availability of water, wastewater, storm water, and transportation facilities generally suitable and adequate for the proposed use:** The subject tract is currently being served water service through a private water main. There is an 18-inch water main along Old Wellborn Rd, which is adjacent to this tract. Development of the subject tract would have to meet the City's water system and fire flow requirements. The subject tract is located adjacent to a 12-inch sanitary sewer main, located along the property's northern property boundary, though downstream sewer capacity may not be available to service this development. The subject tract is located in the Bee Creek Tributary "B" drainage basin. The subject tract is not located in a FEMA Regulated Special Flood Hazard Area; however, drainage problems have been reported near the intersection of Cain Rd. and Old Wellborn Rd. Development of the subject tract will be required to meet the minimum requirements of the City's storm water design guidelines. The subject tract is located adjacent to Holleman Drive South (future 4 Lane Major Collector), Wellborn Rd. (future 6 Lane Major Arterial), Cain Rd. (future 2 Lane Minor Collector), and the future extension of General Pkwy (future 2 Lane Minor Collector). Although Cain Rd. is on the City thoroughfare plan, Cain Rd. is not currently built to city standards and would need to be upgraded by the City at taxpayer's cost to serve the proposed development. At this point, sanitary sewer service is near capacity in the area and the existing transportation facilities are inadequate to serve development on the subject property.

Budget & Financial Summary: N/A

Attachments:

1. Background Information
2. Aerial & Small Area Map (SAM)
3. Planning & Zoning Commission Minutes – December 9, 2010
4. Ordinance

BACKGROUND INFORMATION:

NOTIFICATIONS

Advertised Commission Hearing Date: November 18, 2010

Advertised Council Hearing Dates: April 28, 2011

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

None

Property owner notices mailed: 18
Contacts in support: None at time of staff report
Contacts in opposition: None at time of staff report
Inquiry contacts: 2

ADJACENT LAND USES

Direction	Comprehensive	Zoning	Land Use
North	Urban, Growth Area 5	A-O, Agricultural Open	Vacant, not developed
South	Urban, Growth Area 5	A-O, Agricultural Open	Cain Road, single-family residences, manufactured homes, vacant property
East	Urban, Growth Area 5	A-O, Agricultural Open	Commercial strip center, Old Wellborn Road
West	Urban, Growth Area 5, 4-Lane Major Collector	A-O, Agricultural Open	Thoroughfare - Holleman Drive South

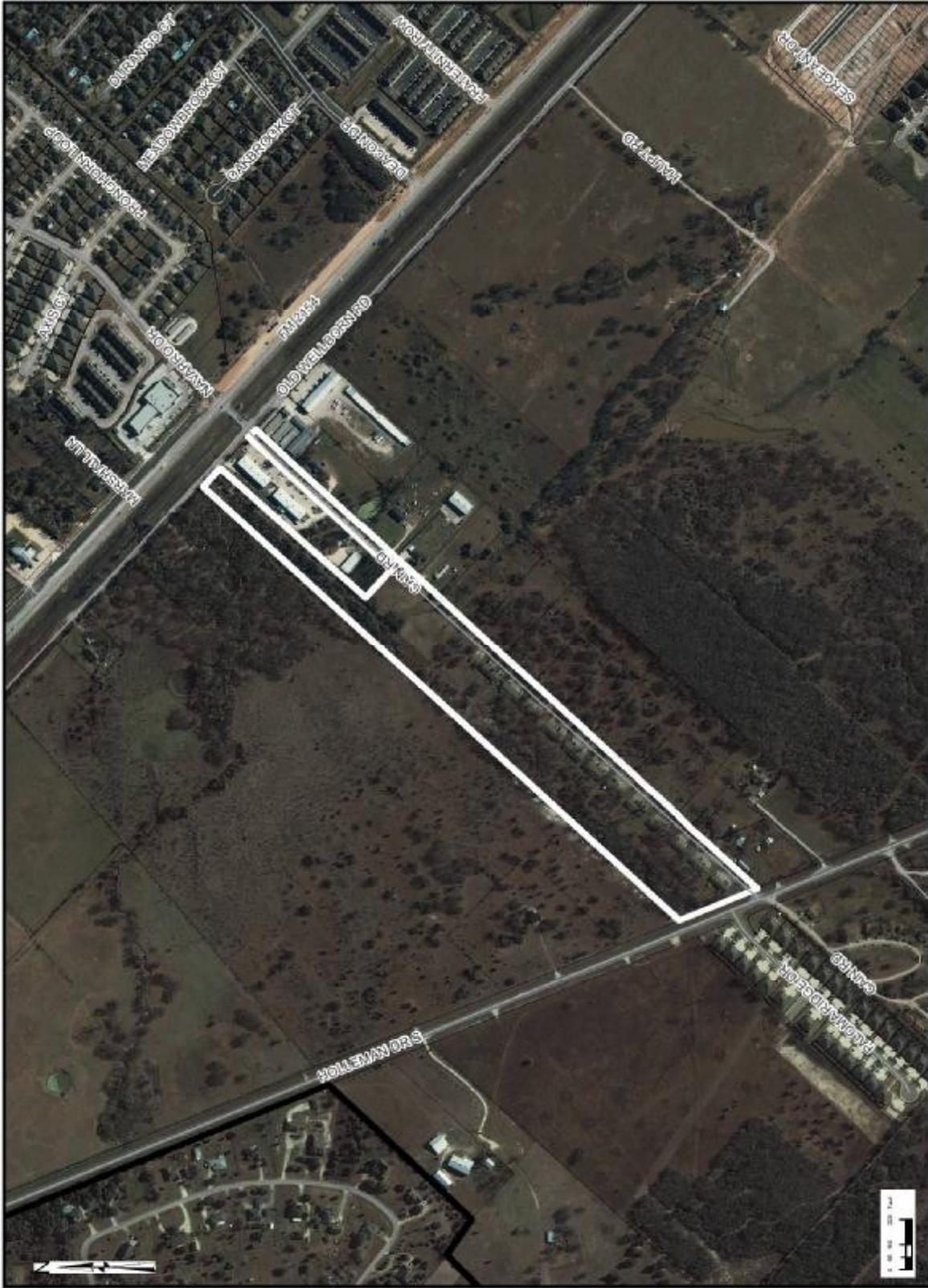
DEVELOPMENT HISTORY

Annexation: 2002

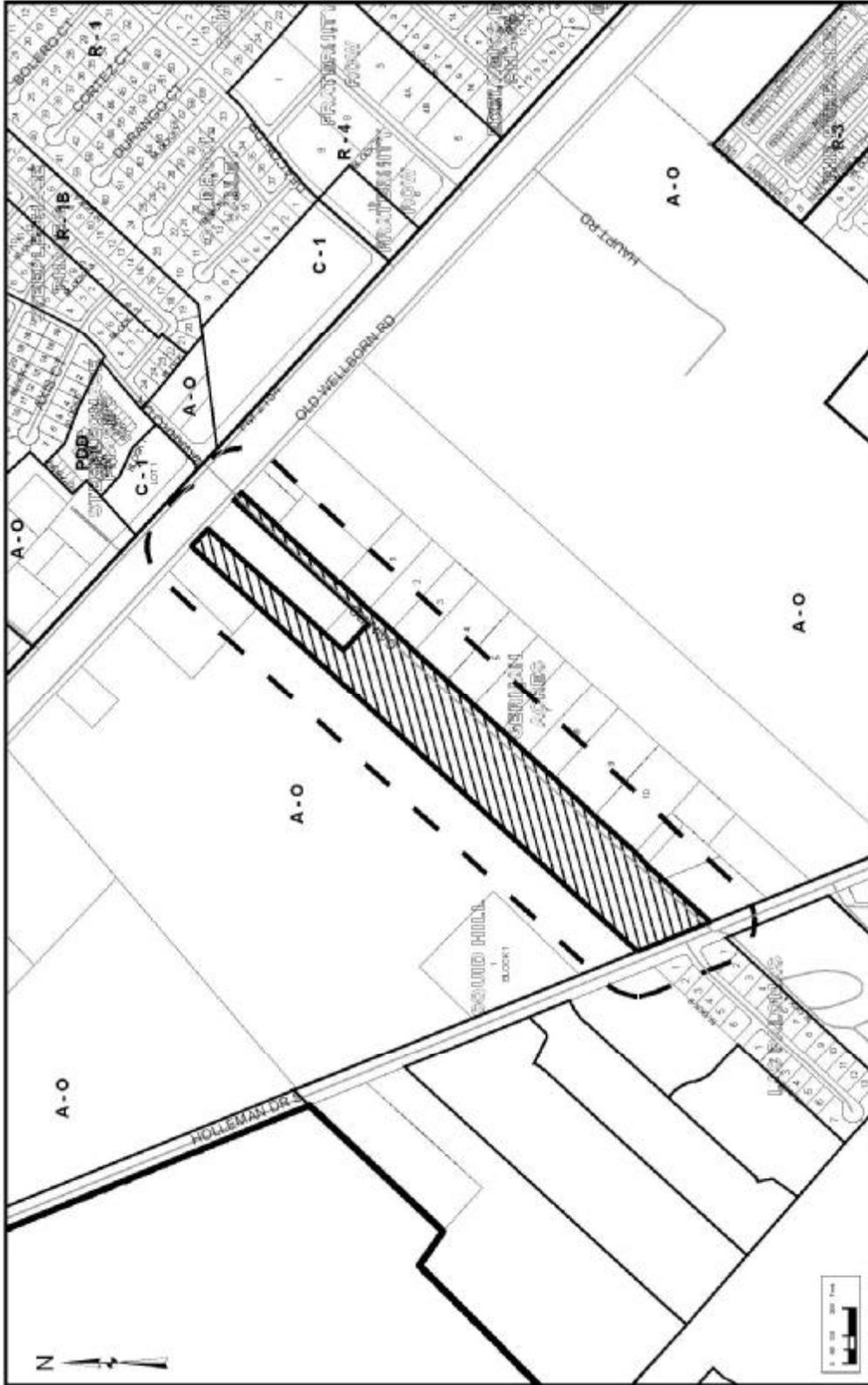
Zoning: A-O Agricultural Open upon annexation (2002)

Final Plat: N/A

Site development: Duplexes are developed along a portion of Cain Road. The remainder of the site is largely vacant.



	DEVELOPMENT REVIEW	UNIVERSITY ACRES Case: 10-139 REZONING
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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
A-P	Administrative/Professional
C-1	General Commercial
C-2	Commercial-Industrial
R-3	Light Commercial
M-1	Light Industrial
M-2	Heavy Industrial
C-U	College and University
R&D	Research and Development
P-MUD	Planned Mixed-Use Development
PDD	Planned Development District
C-3	Light Commercial
M-1	Light Industrial
M-2	Heavy Industrial
C-U	College and University
R&D	Research and Development
P-MUD	Planned Mixed-Use Development
PDD	Planned Development District
WPC	Wolf Pen Creek Dev. Corridor
NG-1	Core Northgate
NG-2	Transitional Northgate
NG-3	Residential Northgate
OV	Corridor Overlay
RDD	Redevelopment District
KO	Krensh Tap Overlay



DEVELOPMENT REVIEW

UNIVERSITY ACRES

REZONING

Case: 10-139



MINUTES
PLANNING & ZONING COMMISSION
Regular Meeting
November 18, 2010, 7:00 p.m.
City Hall Council Chambers
1101 Texas Avenue
College Station, Texas

COMMISSIONERS PRESENT: Chairman Scott Shafer, Mike Ashfield, Craig Hall, Jodi Warner, Bo Miles, Hugh Stearns and Doug Slack

COMMISSIONERS ABSENT: None

CITY COUNCIL MEMBERS PRESENT: Dennis Maloney and Jess Fields

CITY STAFF PRESENT: Jennifer Prochazka, Matt Robinson, Joe Guerra, Josh Norton, Carol Cotter, Alan Gibbs, Lance Simms, Bob Cowell, Mary Ann Powell, Kerry Mullins, and Brittany Caldwell

1. Call meeting to order.

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

2. Hear Citizens.

None

Regular Agenda

3. Public hearing, presentation, possible action and discussion regarding a Rezoning for 3180 Cain Road of 19.575 acres from A-O Agricultural Open to C-1 General Commercial, R-3 Townhouse and R-4 Multi-Family located at 3180 Cain Road and more generally located west of the intersection of Old Wellborn Road and Cain Road. **Case #10-00500139 (MR)**

Staff Planner Robinson presented the Rezoning and recommended denial.

Chairman Shafer opened the public hearing.

Greg Jasper, property owner in the area, stated that he was in support of developing the property to a higher density.

Joe Schultz, engineer, said that he does not know what infrastructure is going to be extended that will be utilized and that Cain Road was just recently designated as a private street after being a public road all the way back to the 1970's.

Hartzell Elkins, 2508 River Forest Drive, College Station, Texas; C M Rutledge, 3033 Cain Road, College Station, Texas; John Kemp, 3100 Holleman Drive South, College Station, Texas; Kenneth Tripp, 1393 Seamist Lane, College Station, Texas; Cheryl Jones, 3001 Cain Road, College Station, Texas. The citizens were concerned about flooding and drainage issues in the area. Some of the citizens also stated that Cain Road was a public road.

Paul Schultz, applicant, stated that Cain Road has been treated as a public road in the past and townhomes is the only type of development that is practical on the property.

There was general discussion amongst the Commission regarding drainage in the area.

City Engineer Gibbs stated that he was not aware of Cain Road being a public road.

Commissioner Stearns said that mitigation needed to be done because of the flooding and drainage issues.

Commissioner Slack expressed concern about the uncertainty of whether Cain Road was public or private and the scale of the development.

Commissioner Stearns motioned to recommend denial of the Rezoning. Commissioner Slack seconded the motion.

Commissioner Miles said that the City has an obligation to take care of drainage issues in the area and he also expressed concern about not knowing for certain whether Cain Road was public or private.

The motion passed (7-0).

4. Adjourn.

Commissioner Warner motioned to adjourn the meeting. Commissioner Stearns seconded the motion, motion passed (7-0).

The meeting was adjourned at 9:20 p.m.

Approved:

Scott Shafer, Chairman
Planning and Zoning Commission

Attest:

Brittany Caldwell, Admin. Support Specialist
Planning and Development Services

ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 12, "UNIFIED DEVELOPMENT ORDINANCE," SECTION 4.2, "OFFICIAL ZONING MAP," OF THE CODE OF ORDINANCES OF THE CITY OF COLLEGE STATION, TEXAS, BY CHANGING THE ZONING DISTRICT BOUNDARIES AFFECTING CERTAIN PROPERTIES AS DESCRIBED BELOW; 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," Section 4.2, "Official Zoning Map," of the Code of Ordinances of the City of College Station, Texas, be amended as set out in Exhibits "A", "B", "C" and "D" attached hereto and made a part of this ordinance for all purposes.

PART 2: 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 35 of the Charter of the City of College Station.

PASSED, ADOPTED and APPROVED this _____ day of _____, 2011

APPROVED:

MAYOR

ATTEST:

City Secretary

APPROVED:

Carla A Robinson

City Attorney

EXHIBIT "A"

That Chapter 12, "Unified Development Ordinance," Section 4.2, "Official Zoning Map," of the Code of Ordinances of the City of College Station, Texas, is hereby amended as follows:

The following properties being rezoned from A-O, Agricultural Open to C-1, General Commercial as described below and as shown graphically in Exhibit "D":

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

METES AND BOUNDS DESCRIPTION OF ALL THAT CERTAIN TRACT OR PARCEL OF LAND LYING AND BEING SITUATED IN THE CRAWFORD BURNETT LEAGUE, ABSTRACT NO. 7, COLLEGE STATION, BRAZOS COUNTY, TEXAS. SAID TRACT BEING A PORTION OF A CALLED 19.575 ACRE TRACT AS DESCRIBED BY A DEED TO MJBS SCHULTZ REAL ESTATE, LLC, RECORDED IN VOLUME 9452, PAGE 260 OF THE OFFICIAL PUBLIC RECORDS OF BRAZOS COUNTY, TEXAS.

SAID TRACT 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 A CALLED 3.201 ACRE TRACT AS DESCRIBED BY A DEED TO KENNETH C. TRIPP AND ELIZABETH A. TRIPP RECORDED IN VOLUME 7153, PAGE 78 OF THE OFFICIAL PUBLIC RECORDS OF BRAZOS COUNTY, TEXAS, SAID IRON ROD FOUND MARKING AN INTERIOR CORNER OF SAID 19.575 ACRE TRACT;

THENCE: S 47° 30' 15" E ALONG THE COMMON LINE OF SAID 3.201 ACRE TRACT AND SAID 19.575 ACRE TRACT FOR A DISTANCE OF 174.33 FEET TO A 1/2 INCH IRON ROD FOUND MARKING THE SOUTH CORNER OF SAID 3.201 ACRE TRACT;

THENCE: S 42° 28' 33" W THROUGH SAID 19.575 ACRE TRACT FOR A DISTANCE OF 119.24 FEET;

THENCE: N 47° 45' 18" W CONTINUING THROUGH SAID 19.575 ACRE TRACT FOR A DISTANCE OF 173.29 FEET;

THENCE: N 41° 58' 50" E CONTINUING THROUGH SAID 19.575 ACRE TRACT FOR A DISTANCE OF 120.00 FEET TO THE POINT OF BEGINNING CONTAINING 0.478 OF AN ACRE OF LAND, MORE OR LESS. BEARING SYSTEM SHOWN HEREIN IS BASED ON GRID NORTH AS ESTABLISHED FROM GPS OBSERVATION.

BRAD KERR
REGISTERED PROFESSIONAL
LAND SURVEYOR No. 4502

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EXHIBIT "A" CONTINUED

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

METES AND BOUNDS DESCRIPTION OF ALL THAT CERTAIN TRACT OR PARCEL OF LAND LYING AND BEING SITUATED IN THE CRAWFORD BURNETT LEAGUE, ABSTRACT NO. 7, COLLEGE STATION, BRAZOS COUNTY, TEXAS. SAID TRACT BEING A PORTION OF A CALLED 19.575 ACRE TRACT AS DESCRIBED BY A DEED TO MJBS SCHULTZ REAL ESTATE, LLC, RECORDED IN VOLUME 9452, PAGE 260 OF THE OFFICIAL PUBLIC RECORDS OF BRAZOS COUNTY, TEXAS.

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

BEGINNING AT A ½ INCH IRON ROD FOUND ON THE SOUTHWEST LINE OF OLD WELLBORN ROAD MARKING THE MOST NORTHERLY CORNER OF SAID 19.575 ACRE TRACT AND THE EAST CORNER OF A CALLED 4.46 ACRE TRACT AS DESCRIBED BY A DEED TO F. MALCOLM HAYS RECORDED IN VOLUME 421, PAGE 90 OF THE DEED RECORDS OF BRAZOS COUNTY, TEXAS;

THENCE: S 47° 17' 50" E ALONG THE SOUTHWEST LINE OF OLD WELLBORN ROAD FOR A DISTANCE OF 115.06 FEET TO A ½ INCH IRON ROD FOUND MARKING THE NORTH CORNER OF A CALLED 3.201 ACRE TRACT AS DESCRIBED BY A DEED TO KENNETH C. TRIPP AND ELIZABETH A. TRIPP RECORDED IN VOLUME 7153, PAGE 78 OF THE OFFICIAL PUBLIC RECORDS OF BRAZOS COUNTY, TEXAS;

THENCE: S 41° 58' 50" W ALONG THE COMMON LINE OF SAID 19.575 ACRE TRACT AND SAID 3.201 ACRE TRACT FOR A DISTANCE OF 300.00 FEET, FOR REFERENCE A ½ INCH IRON ROD FOUND MARKING THE WEST CORNER OF SAID 3.201 ACRE TRACT BEARS: S 41° 58' 50" W FOR A DISTANCE OF 441.43 FEET;

THENCE: N 47° 18' 15" W THROUGH SAID 19.575 ACRE TRACT FOR A DISTANCE OF 116.44 FEET TO THE COMMON LINE OF SAID 19.575 ACRE TRACT AND SAID 4.46 ACRE TRACT;

THENCE: N 42° 14' 42" E ALONG THE COMMON LINE OF SAID 19.575 ACRE TRACT AND SAID 4.46 ACRE TRACT FOR A DISTANCE OF 300.00 FEET TO THE POINT OF BEGINNING CONTAINING 0.797 OF AN ACRE OF LAND, MORE OF LESS. BEARING SYSTEM SHOWN HEREIN IS BASED ON GRID NORTH AS ESTABLISHED FROM GPS OBSERVATION.

BRAD KERR
REGISTERED PROFESSIONAL
LAND SURVEYOR No. 4502

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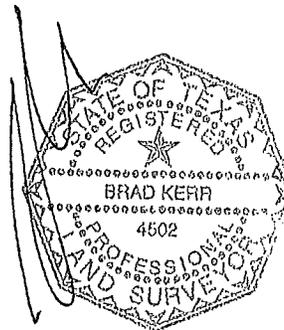


EXHIBIT "B"

The following property is rezoned from A-O, Agricultural Open to R-3, Townhouse as described below and as shown graphically in Exhibit "D":

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

METES AND BOUNDS DESCRIPTION OF ALL THAT CERTAIN TRACT OR PARCEL OF LAND LYING AND BEING SITUATED IN THE CRAWFORD BURNETT LEAGUE, ABSTRACT NO. 7, COLLEGE STATION, BRAZOS COUNTY, TEXAS. SAID TRACT BEING A PORTION OF A CALLED 19.575 ACRE TRACT AS DESCRIBED BY A DEED TO MJBS SCHULTZ REAL ESTATE, LLC, RECORDED IN VOLUME 9452, PAGE 260 OF THE OFFICIAL PUBLIC RECORDS OF BRAZOS COUNTY, TEXAS.

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

BEGINNING AT A ½ INCH IRON ROD FOUND ON THE EASTERLY LINE OF JONES BUTLER ROAD (100' R.O.W.) MARKING THE NORTHWEST CORNER OF SAID 19.575 ACRE TRACT AND THE SOUTH CORNER OF THE REMAINDER OF A CALLED 70.4 ACRE TRACT AS DESCRIBED BY A DEED TO ANN FLEMING HAYS RECORDED IN VOLUME 6751, PAGE 275 OF THE OFFICIAL PUBLIC RECORDS OF BRAZOS COUNTY, TEXAS;

THENCE: N 42° 14' 42" E ALONG THE COMMON LINE OF SAID 19.575 ACRE TRACT AND SAID REMAINDER OF 70.4 ACRE TRACT FOR A DISTANCE OF 2545.57 FEET, FOR REFERENCE A ½ INCH IRON ROD FOUND ON THE SOUTHWEST LINE OF OLD WELLBORN ROAD MARKING THE MOST NORTHERLY CORNER OF SAID 19.575 ACRE TRACT BEARS: N 42° 14' 42" E FOR A DISTANCE OF 300.00 FEET;

THENCE: S 47° 18' 15" E THROUGH SAID 19.575 ACRE TRACT FOR A DISTANCE OF 116.44 FEET; TO THE COMMON LINE OF SAID 19.575 ACRE TRACT AND A CALLED 3.201 ACRE TRACT AS DESCRIBED BY A DEED TO KENNETH C. TRIPP AND ELIZABETH A/ TRIPP RECORDED IN VOLUME 7153, PAGE 78 OF THE OFFICIAL PUBLIC RECORDS OF BRAZOS COUNTY, TEXAS;

THENCE: S 41° 58' 50" W ALONG THE COMMON LINE OF SAID 19.575 ACRE TRACT AND SAID 3.201 ACRE TRACT, AT 441.43 FEET PASS A ½ INCH IRON ROD FOUND MARKING THE WEST CORNER OF SAID 3.201 ACRE TRACT, CONTINUE ON FOR A TOTAL DISTANCE OF 561.43 FEET;

THENCE: S 47° 45' 18" E THROUGH SAID 19.575 ACRE TRACT FOR A DISTANCE OF 173.29 FEET;

THENCE: N 42° 28' 33" E CONTINUING THROUGH SAID 19.575 ACRE TRACT, AT 119.24 FEET PASS A ½ INCH IRON ROD FOUND MARKING THE SOUTH CORNER OF SAID 3.201 ACRE TRACT, CONTINUE ON ALONG THE COMMON LINE OF SAID 19.575 ACRE TRACT AND SAID 3.201 ACRE TRACT FOR A TOTAL DISTANCE OF 859.93 FEET TO A ½ INCH IRON ROD FOUND ON THE SOUTHWEST LINE OF OLD WELLBORN ROAD MARKING THE EAST CORNER OF SAID 3.201 ACRE TRACT;

THENCE: S 45° 28' 53" E ALONG THE SOUTHWEST LINE OF OLD WELLBORN ROAD FOR A DISTANCE OF 48.59 FEET TO A ¾ INCH IRON ROD FOUND MARKING THE NORTH CORNER OF A CALLED 0.7658 ACRE TRACT AS DESCRIBED BY A DEED TO CAIN ROAD CORP. RECORDED IN VOLUME 4126, PAGE 117 OF THE OFFICIAL PUBLIC RECORDS OF BRAZOS COUNTY, TEXAS;

THENCE: S 42° 40' 08" W ALONG THE COMMON LINE OF SAID 19.575 ACRE TRACT AND SAID 0.7658 ACRE TRACT FOR A DISTANCE OF 225.37 FEET TO A 3/8 INCH IRON ROD FOUND MARKING THE NORTH CORNER OF THE REMAINDER OF A CALLED 2.92 ACRE TRACT AS DESCRIBED BY A DEED TO CHERYL JONES RECORDED IN VOLUME 6332, PAGE 96 OF THE OFFICIAL PUBLIC RECORDS OF BRAZOS COUNTY, TEXAS;

EXHIBIT "B" CONTINUED

THENCE: S 42° 38' 55" W ALONG THE COMMON LINE OF SAID 19.575 ACRE TRACT AND SAID REMAINDER OF 2.92 ACRE TRACT FOR A DISTANCE OF 400.06 FEET TO A 5/8 INCH IRON ROD MARKING THE WEST CORNER OF SAID REMAINDER OF 2.92 ACRE TRACT AND THE MOST NORTHERLY CORNER OF A 5.00 FOOT WIDE RIGHT-OF-WAY DEDICATION AS REFLECTED ON THE PLAT OF GERMAN ACRES RECORDED IN VOLUME 2393, PAGE 91 OF THE OFFICIAL PUBLIC RECORDS OF BRAZOS COUNTY, TEXAS;

THENCE: S 42° 28' 30" W ALONG THE SOUTHEAST LINE OF SAID 19.575 ACRE TRACT, SAME BEING THE NORTHWEST LINE OF SAID RIGHT-OF-WAY DEDICATION, FOR A DISTANCE OF 795.57 FEET;

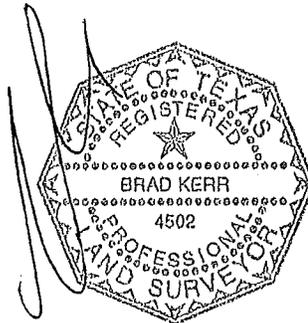
THENCE: N 47° 45' 18" W THROUGH SAID 19.575 ACRE TRACT FOR A DISTANCE OF 181.65 FEET;

THENCE: S 42° 14' 42" W CONTINUING THROUGH SAID 19.575 ACRE TRACT FOR A DISTANCE OF 1494.44 FEET TO THE EASTERLY LINE OF JONES BUTLER ROAD MARKING THE MOST SOUTHERLY CORNER OF THIS HEREIN DESCRIBED TRACT;

THENCE: N 22° 10' 35" W ALONG THE EASTERLY LINE OF JONES BUTLER ROAD FOR A DISTANCE OF 171.84 FEET TO THE **POINT OF BEGINNING** CONTAINING 12.002 ACRES OF LAND, MORE OF LESS. BEARING SYSTEM SHOWN HEREIN IS BASED ON GRID NORTH AS ESTABLISHED FROM GPS OBSERVATION.

BRAD KERR
REGISTERED PROFESSIONAL
LAND SURVEYOR No. 4502

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REVISED 07-02-10

EXHIBIT "C"

The following property is rezoned from A-O, Agricultural Open to R-4, Multi-Family as described below and as shown graphically in Exhibit "D":

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

METES AND BOUNDS DESCRIPTION OF ALL THAT CERTAIN TRACT OR PARCEL OF LAND LYING AND BEING SITUATED IN THE CRAWFORD BURNETT LEAGUE, ABSTRACT NO. 7, COLLEGE STATION, BRAZOS COUNTY, TEXAS. SAID TRACT BEING A PORTION OF A CALLED 19.575 ACRE TRACT AS DESCRIBED BY A DEED TO MJBS SCHULTZ REAL ESTATE, LLC, RECORDED IN VOLUME 9452, PAGE 260 OF THE OFFICIAL PUBLIC RECORDS OF BRAZOS COUNTY, TEXAS.

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

COMMENCING AT A 1/2 INCH IRON ROD FOUND ON THE EASTERLY LINE OF JONES BUTLER ROAD (100' R.O.W.) MARKING THE NORTHWEST CORNER OF SAID 19.575 ACRE TRACT AND THE SOUTH CORNER OF THE REMAINDER OF A CALLED 70.4 ACRE TRACT AS DESCRIBED BY A DEED TO ANN FLEMING HAYS RECORDED IN VOLUME 6751, PAGE 275 OF THE OFFICIAL PUBLIC RECORDS OF BRAZOS COUNTY, TEXAS;

THENCE: S 22° 10' 35" E ALONG THE EASTERLY LINE OF JONES BUTLER ROAD FOR A DISTANCE OF 171.84 FEET TO THE **POINT OF BEGINNING** OF THIS HEREIN DESCRIBED TRACT;

THENCE: N 42° 14' 42" E THROUGH SAID 19.575 ACRE TRACT FOR A DISTANCE OF 1494.44 FEET;

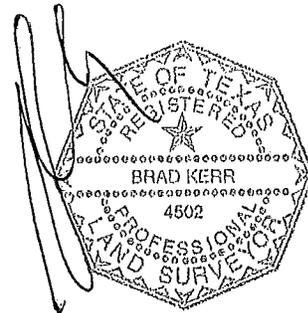
THENCE: S 47° 45' 18" E CONTINUING THROUGH SAID 19.575 ACRE TRACT FOR A DISTANCE OF 181.65 FEET TO THE NORTHWEST LINE OF A 5.00 FOOT WIDE RIGHT-OF-WAY DEDICATION AS REFLECTED ON THE PLAT OF GERMAN ACRES RECORDED IN VOLUME 2393, PAGE 91 OF THE OFFICIAL PUBLIC RECORDS OF BRAZOS COUNTY, TEXAS;

THENCE: S 42° 28' 30" W ALONG THE SOUTHEAST LINE OF SAID 19.575 ACRE TRACT, SAME BEING THE NORTHWEST LINE OF SAID RIGHT-OF-WAY DEDICATION, THE NORTHWEST LINE OF A CALLED 1.476 ACRE TRACT AS DESCRIBED BY A DEED TO B. BRENT SEWELL RECORDED IN VOLUME 6666, PAGE 290 OF THE OFFICIAL PUBLIC RECORDS OF BRAZOS COUNTY, TEXAS, AND THE NORTHWEST LINE OF A CALLED 2 ACRE TRACT AS DESCRIBED BY A DEED TO FLETCHER N. GERMAN, JR. RECORDED IN VOLUME 3250, PAGE 249 OF THE OFFICIAL PUBLIC RECORDS OF BRAZOS COUNTY, TEXAS, FOR A DISTANCE OF 1578.36 FEET TO A 5/8 INCH IRON ROD ON THE EASTERLY LINE OF JONES BUTLER ROAD MARKING THE SOUTH CORNER OF SAID 19.575 ACRE TRACT;

THENCE: N 22° 10' 35" W ALONG THE EASTERLY LINE OF JONES BUTLER ROAD FOR A DISTANCE OF 194.36 FEET TO THE **POINT OF BEGINNING** CONTAINING 6.298 ACRES OF LAND, MORE OF LESS. BEARING SYSTEM SHOWN HEREIN IS BASED ON GRID NORTH AS ESTABLISHED FROM GPS OBSERVATION.

BRAD KERR
REGISTERED PROFESSIONAL
LAND SURVEYOR No. 4502

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April 28, 2011
Regular Agenda Item No. 6
Scott & White Rezoning

To: David Neeley, City Manager

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

Agenda Caption: Public Hearing, presentation, possible action, and discussion regarding an amendment to Chapter 12, "Unified Development Ordinance," Section 4.2, "Official Zoning Map" of the Code of Ordinances of the City of College Station, Texas by rezoning 37.12 acres located at 3210 Rock Prairie Road, from PDD Planned Development District to PDD Planned Development District to modify standards for the development of a hospital and clinic.

Relationship to Strategic Goals: Financially Sustainable City Providing Response to Core Services and Infrastructure, Neighborhood Integrity, and Diverse Growing Economy.

Recommendation(s): The Planning and Zoning Commission considered this item at their April 21, 2011 meeting and the recommendation will be presented at the Council meeting. Staff recommended approval of the request.

Summary: The Unified Development Ordinance provides the following review criteria for zoning map amendments:

REVIEW CRITERIA

1. Consistency with the Comprehensive Plan:

- Portions of the tract are designated as **Suburban Commercial**, which is generally for concentrations of commercial activities that cater primarily to nearby residents versus the larger community or region. According to the Comprehensive Plan, design of structures in these areas should be compatible in size, roof type and pitch, architecture, and lot coverage with single-family residential uses. The proposal is consistent with the Comprehensive Plan.
- A portion of the tract is designated as **General Commercial**. The General Commercial designation is for concentrations of commercial activities that cater to both nearby residents and to the larger community or region. It is preferred that development in these areas be concentrated in nodes instead of developed in strips. The proposal is consistent with the Comprehensive Plan.
- The subject property is also located within the **Spring Creek District (Medical Corridor)** – a special planning area that at some point in the future will be studied in further detail. The focus of the Spring Creek District Plan should be linking current and future medical facilities into a cohesive district.

2. Compatibility with the present zoning and conforming uses of nearby property and with the character of the neighborhood: The existing PDD includes a hospital campus at the heart of the property with periphery retail and office uses. As such, the proposed zoning is generally compatible with the commercially zoned property located to the west. The property to the north, across Rock Prairie Road, is largely zoned A-O Agricultural Open and is undeveloped. At the entrance to the Woodcreek Subdivision, the Riviera Day Spa is zoned and developed as light commercial. The northeast corner of Rock Prairie Road and State Highway 6 is developed as the Plazas at Rock Prairie

shopping center. The proposed PDD designation is compatible with the commercial development in the area.

3. **Suitability of the property affected by the amendment for uses permitted by the district that would be made applicable by the proposed amendment:** The property is currently zoned PDD Planned Development District allowing for the development of a hospital and clinic. The proposed PDD includes modifications to the Non-Residential Architectural Standards contained in Section 7.9 of the Unified Development Ordinance.
4. **Suitability of the property affected by the amendment for uses permitted by the district applicable to the property at the time of the proposed amendment:** The property is currently zoned PDD Planned Development District allowing for the development of a hospital and clinic. The use of the property will not change with the proposed PDD zoning.
5. **Marketability of the property affected by the amendment for uses permitted by the district applicable to the property at the time of the proposed amendment:** The existing PDD zoning allows for the development of a hospital and clinic. The proposed PDD will not change the permitted uses on the property.
6. **Availability of water, wastewater, stormwater, and transportation facilities generally suitable and adequate for the proposed use:** The proposed use will not change. Utilities and transportation facilities are adequate for the proposed hospital and clinic use.

Base Zoning and Meritorious Modifications

The applicant proposes to retain C-1 General Commercial as the base, underlying zoning district for standards not identified in the PDD. At the time of site plan and plat, the project will need to meet all applicable site, architectural and platting standards required by the Unified Development Ordinance except where meritorious modifications are granted with the PDD zoning. The applicant has requested the following additional meritorious modifications to the existing PDD zoning:

1. **Section 7.9.2 "Building Mass & Design" and Section 7.9.E.1 "Façade Articulation" of the Unified Development Ordinance**
The applicant believes that the proposed hospital structure complies with the intent of the ordinances. Proposed building elevations have been provided with this report.
2. **Section 7.9.F.2 "Additional Standards for 150,000 s.f. or Greater" of the Unified Development Ordinance**
This ordinance section requires that each façade utilize a minimum of 50% masonry materials. The applicant has identified that the north façade includes 48.65% masonry. All other facades exceed the 50% requirement and as a whole the building exceeds the requirement.
3. **Section 7.9.E.4.d "Pedestrian / Bike Circulation & facilities" of the Unified Development Ordinance**
The UDO requires a 10-foot sidewalk along the full length of any façade facing a right-of-way. The applicant has requested to vary from this requirement in several instances. The west façade of the hospital has no public access points and is grade separated along the majority of its face. Also, the west facade of the utility building has no public access point and has cooling tower intake grills along much of its face.

4. Section 7.9.B.1 “Required Screening” of the Unified Development Ordinance

The applicant has proposed a 10-foot tall screening wall for the bulk oxygen tank, but believes that screening the full height of the tank will be more visually intrusive than screening only the lower portion. The exposed portion of the tank will be painted a complimentary color and will contain not company logo.

Budget & Financial Summary: N/A

Attachments:

1. Background Information
2. Small Area Map (SAM) & Aerial
3. Ordinance

BACKGROUND

The subject property was zoned PDD Planned Development District in conjunction with the surrounding tracts for a hospital and clinic development. Scott & White is now in the design phase and have identified several modifications needed to the City's Non-Residential Architectural Standards. The proposed PDD zoning retains the existing land uses, concept plan and meritorious modifications previously approved, with additional modifications outlined later in the report.

NOTIFICATIONS

Advertised Commission Hearing Date: April 21, 2011
 Advertised Council Hearing Dates: April 28, 2011

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

Wilshire HOA
 Sandstone HOA
 Foxfire HOA
 Amberlake HOA
 Chadwick HOA
 Stonebridge HOA
 Stonebridge Court HOA

Property owner notices mailed: 15
 Contacts in support: None as of date of staff report
 Contacts in opposition: None as of date of staff report
 Inquiry contacts: None as of date of staff report

ADJACENT LAND USES

Direction	Comprehensive Plan	Zoning	Land Use
North	Suburban Commercial and Restricted Suburban across Rock Prairie Road (Major Arterial)	A-O Agricultural-Open, C-3 Light Commercial, C-1 General Commercial across Rock Prairie Road (Major Arterial)	Vacant, Riviera Day Spa, Plazas at Rock Prairie shopping center across Rock Prairie Road (Major Arterial)
South	Suburban Commercial, General Commercial and Natural Areas – Reserved	PDD Planned Development District, A-O Agricultural Open	Rural, Vacant
East	General Suburban in Growth Area III and	PDD Planned Development District,	Rural, Vacant

	General Commercial	A-O Agricultural-Open, A-P Administrative Professional	
West	Suburban Commercial, General Commercial and Freeway	PDD Planned Development District, C-1 General Commercial	Vacant and State Highway 6

DEVELOPMENT HISTORY

Annexation: 1977 and 1983

Zoning: Annexed as A-O Agricultural-Open. A-O to C-2 Commercial Industrial in 1986; C-2 to R-5 Apartment/Medium Density in 1994; and R-5 renamed to R-4 Multi-Family in 2003. Portions of the larger Scott & White property along the State Highway 6 Frontage Road and along Rock Prairie Road near its intersection with State Highway 6 were zoned C-1 General Commercial in 2009.

Preliminary Plat: Scott & White Healthcare Subdivision (2011)

Site development: Largely vacant, with an on-site oil well

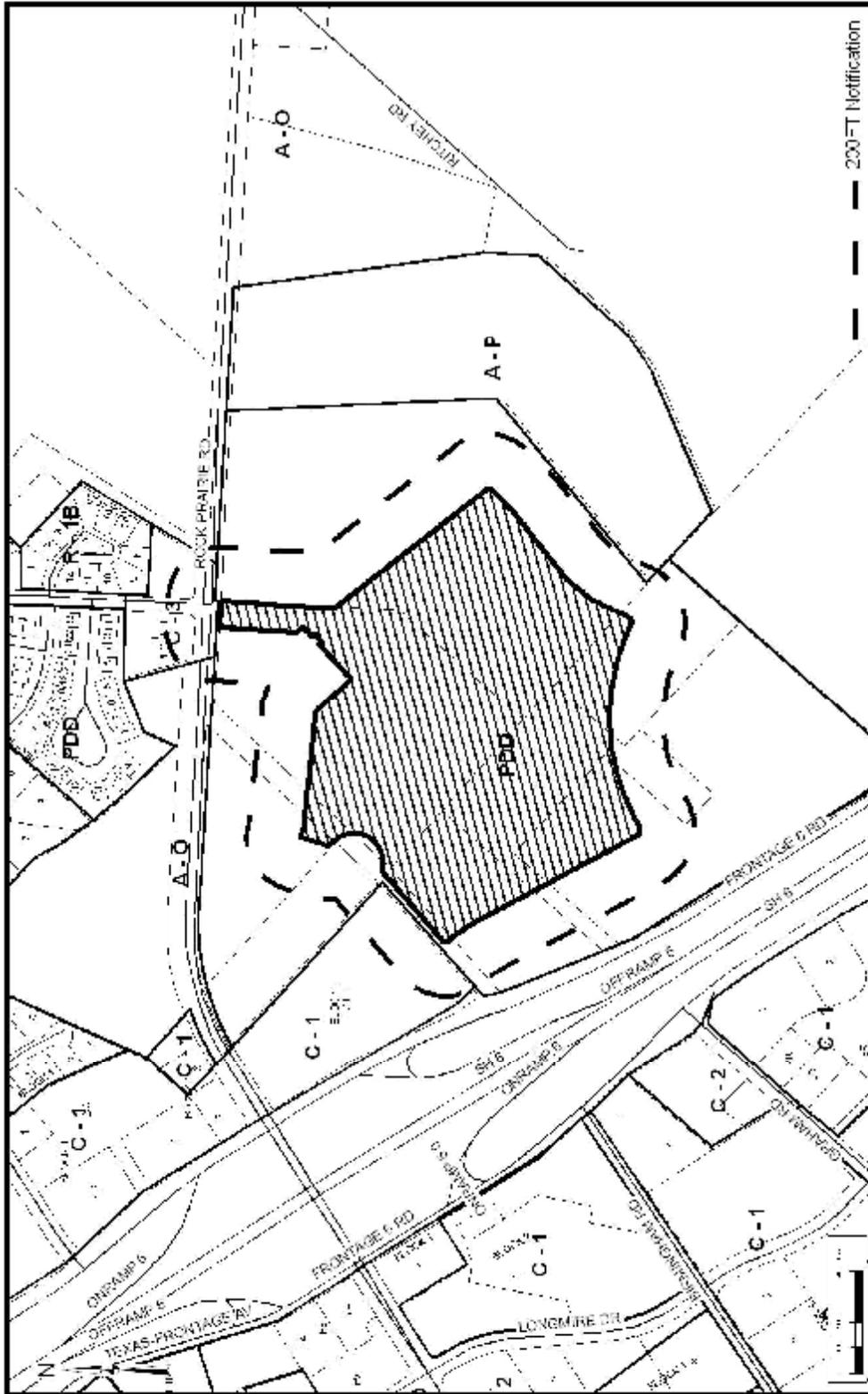


REZONING
Case: 11-063

SCOTT & WHITE

DEVELOPMENT REVIEW





Zoning Districts	Event Use	C-3	Light Commercial	WPC	Well-Plan Creek Dev. Corridor
A-O	Multi-Family	M-1	High Industrial	M3-1	Core Highway
A-OB	High Density Multi-Family	M-2	Heavy Industrial	M3-2	Transitional Neighbourhood
R-1	Manuf. Incubated Home Park	C-1	College and University	M3-3	Residential Neighbourhood
R-1B	ACTM Distiches/Process or al	R&D	Research and Development	CV	Conductor Overlay
R-2	General Commercial	P&LD	Planned Industrial Use Development	RDD	Redevelopment Dist. not
	General Commercial	PDD	Planned Development	RD	Rehab. Sp. Overlay

DEVELOPMENT REVIEW

SCOTT & WHITE

Case: **11-053**

REZONING

ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 12, "UNIFIED DEVELOPMENT ORDINANCE," SECTION 4.2, "OFFICIAL ZONING MAP," OF THE CODE OF ORDINANCES OF THE CITY OF COLLEGE STATION, TEXAS, BY CHANGING THE ZONING DISTRICT BOUNDARIES AFFECTING CERTAIN PROPERTIES AS DESCRIBED BELOW; 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," Section 4.2, "Official Zoning Map," 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 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 35 of the Charter of the City of College Station.

PASSED, ADOPTED and APPROVED this 28th day of April, 2011

APPROVED:

MAYOR

ATTEST:

City Secretary

APPROVED:

Carla A. Robinson

City Attorney

EXHIBIT "A"

That Chapter 12, "Unified Development Ordinance," Section 4.2, "Official Zoning Map," of the Code of Ordinances of the City of College Station, Texas, is hereby amended as follows:

The following property is rezoned from PDD Planned Development District to PDD Planned Development District to modify standards, with the restrictions listed in Exhibit "B" and in accordance with the Concept Plan shown in Exhibit "C" and Exhibit "D" and the Concept Plan Notes listed in Exhibit "E", and as shown graphically in Exhibit "F":

37.12 ACRES

SCOTT AND WHITE
CITY OF COLLEGE STATION
BRAZOS COUNTY, TEXAS
JOB NO.F8W96853**PROPERTY DESCRIPTION**

DESCRIPTION OF A 37.12 ACRE TRACT IN THE THOMAS CARUTHER LEAGUE ABSTRACT NUMBER 9, AND THE ROBERT STEVENSON LEAGUE ABSTRACT NUMBER 54 IN BRAZOS COUNTY, CITY OF COLLEGE STATION TEXAS. BEING LOCATED APPROXIMATELY 1957 FEET EAST ALONG THE EXISTING SOUTH RIGHT-OF-WAY LINE OF THE INTERSECTION OF STATE HIGHWAY 6 AND ROCK PRAIRIE ROAD, AND 15 FEET SOUTH OF THE SAID EXISTING RIGHT-OF- LINE OF ROCK PRAIRIE ROAD, SAID 37.12 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS WITH ALL BEARINGS SHOWN ARE GRID AND BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM NAD 83, ALL DISTANCES ARE SURFACE WITH A COMBINED SCALE FACTOR 0.9998976 USED FOR CONVERTING TO GRID DISTANCES;

COMMENCING at City of College Station Monument No. 130, having NAD83 Texas State Plane Central Zone Grid Coordinate Values of, Y=10200592.404, X=3569864.911, and being located north of the intersection of State Highway 6 and Wood Creek Drive, from which the City of College Station Monument 131 having State Plane Central Zone Grid Coordinate Values of, Y= 10196005.795, X= 3572535.894 being located south of the eastbound access road of State Highway 6 and west of Eagle Avenue, bears **S 30°12'57" E** for a distance of **5308.19** feet;

THENCE departing said Monument 130 **S 76°34'32" E** for a distance of **2592.26** feet to the most northerly northwest corner and the **POINT OF BEGINNING** of the herein described tract;

THENCE with a line 15 feet south of and parallel to the existing south right-of-way line of Rock Prairie Road **S 86°27'05" E** for a distance of **106.98** feet to the most northerly northeast corner of the herein described tract;

THENCE departing the most northerly northeast corner the following twenty nine (29) courses and distances;

1. **S 03°32'55" W** for a distance of **450.63** feet to a point for corner,
2. **S 38°02'17" E** for a distance of **783.15** feet to a point for corner in the arc of a intersecting curve to the right,
3. with the arc of said curve to the right passing through a central angle of **14°10'45"** to the Point of Tangency, said curve having a radius of **570.00** feet, an arc length of **141.06** feet, and a long chord bearing of **S 43°44'10" W** for a distance of **140.70** feet,
4. **S 50°49'32" W** for a distance of **287.83** feet to the Point of Curvature of a curve to the left,
5. with the arc of said curve to the left passing through a central angle of **28°39'14"** to the Point of Tangency, said curve having a radius of **530.00** feet, an arc length

- of 265.06 feet, and a long chord bearing of **S 36°29'55" W** for a distance of 262.30 feet,
6. **S 22°10'18" W** for a distance of 73.65 feet to the Point of Curvature of a curve to the right,
 7. with the arc of said curve to the right passing through a central angle of **90°00'00"** to the Point of Tangency, said curve having a radius of 25.00 feet, an arc length of 39.27 feet, and a long chord bearing of **S 67°10'18" W** for a distance of 35.36 feet,
 8. **N 67°49'42" W** for a distance of 59.02 feet to the Point of Curvature of a curve to the left,
 9. with the arc of said curve to the left passing through a central angle of **53°08'42"** to the Point of Reverse Curvature of a curve to the right, said curve to the left having a radius of 840.00 feet, an arc length of 779.15 feet, and a long chord bearing of **S 85°35'57" W** for a distance of 751.52 feet,
 10. with the arc of said curve to the right passing through a central angle of **92°41'55"** to the Point of Tangency, said curve having a radius of 25.00 feet, an arc length of 40.45 feet, and a long chord bearing of **N 74°37'27" W** for a distance of 36.18 feet,
 11. **N 28°16'29" W** for a distance of 734.96 feet to the Point of Curvature of a curve to the left,
 12. with the arc of said curve to the left passing through a central angle of **13°32'30"** to the Point of Reverse Curvature of a curve to the right, said curve to the left having a radius of 560.00 feet, an arc length of 132.35 feet, and a long chord bearing of **N 35°02'44" W** for a distance of 132.05 feet,
 13. with the arc of said curve to the right passing through a central angle of **90°13'39"** to the Point of Tangency, said curve having a radius of 15.00 feet, an arc length of 23.62 feet, and a long chord bearing of **N 03°17'50" E** for a distance of 21.26 feet,
 14. **N 48°24'40" E** for a distance of 361.32 feet to the Point of Curvature of a curve to the right,
 15. with the arc of said curve to the right passing through a central angle of **54°45'56"** to the Point of Reverse Curvature of a curve to the left, said curve to the right having a radius of 15.00 feet, an arc length of 14.34 feet, and a long chord bearing of **N 75°47'38" E** for a distance of 13.80 feet,
 16. with the arc of said curve to the left passing through a central angle of **157°42'30"** to the Point of Reverse Curvature, said curve to the left having a

radius of **115.00** feet, an arc length of **316.54** feet, and a long chord bearing of **N 24°19'21" E** for a distance of **225.66** feet,

17. with the arc of said curve to the right passing through a central angle of **71°20'13"** to the Point of Tangency, said curve to the right having a radius of **10.00** feet, an arc length of **12.45** feet, and a long chord bearing of **N 18°51'47" W** for a distance of **11.66** feet,

18. **N 16°48'19" E** for a distance of **72.81** feet to the Point of Curvature of a curve to the left,

19. with the arc of said curve to the left passing through a central angle of **04°02'17"** to the Point of Non-Tangency, said curve having a radius of **565.00** feet, an arc length of **39.82** feet, and a long chord bearing of **N 14°47'11" E** for a distance of **39.81** feet,

20. **S 77°13'58" E** for a distance of **44.41** feet to a point for corner,

21. **S 83°57'07" E** for a distance of **460.77** feet to a point for corner,

22. **S 42°44'54" E** for a distance of **190.00** feet to a point for corner,

23. **N 47°15'06" E** for a distance of **190.00** feet to a point for corner,

24. **S 42°44'54" E** for a distance of **15.00** feet to a point for corner,

25. **N 47°15'06" E** for a distance of **40.00** feet to a point for corner,

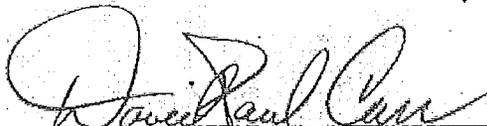
26. **N 42°44'54" W** for a distance of **15.00** feet to a point for corner,

27. **N 47°15'06" E** for a distance of **55.00** feet to a point for corner,

28. **N 42°44'54" W** for a distance of **38.11** feet to a point for corner,

29. **N 03°32'55" E** for a distance of **307.61** feet to the **POINT OF BEGINNING** of the herein described tract and containing **37.12** acres more or less.

I David Paul Carr a duly licensed Professional Land Surveyor in the State of Texas do hereby certify that the foregoing metes and bounds is based on a survey performed by Jacobs Engineering Group in April of 2010 under my direction and supervision and that it is true and correct to the best of my belief.



David Paul Carr RPLS
Texas Registration No. 3997



4/13/11
Date

EXHIBIT "B"

Purpose & Intent:

Hospital, Medical Clinic, Medical Office, and future development."

Permitted Uses:

Tract 1:

- Extended Care Facility / Convalescent / Nursing Home
- Educational Facility, College & University
- Educational Facility, Indoor Instruction
- Educational Facility, Outdoor Instruction
- Educational Facility, Vocational / Trade
- Health Care, Hospitals
- Health Care, Medical Clinics
- Offices
- Scientific Testing / Research Laboratory
- Wireless Telecommunication Facilities- Intermediate*

* Land Use with Supplemental Standards (Refer to Article 5 of the Unified Development Ordinance)

Access

Driveway locations limited to those shown on the Concept Plan. All access points will have to meet any conditions required by a revised Transportation Impact Analysis.

Architectural Design

The Hospital buildings will meet all minimum ordinance requirements besides those granted as meritorious modifications. The following information relates to the architectural design on Tract 1 -- the hospital building:

Exterior materials of the front elevation's two-story base will include stone, brick and glass. The addition of architectural metal panels will complete the material pallet for the upper three floors. A strong vertical motif is developed with the stone pillars along the two-story lobby/waiting concourse. The stone pillars are six feet wide and occur along the concourse on 15-foot centers. The space between the pillars is recessed 18 inches and in-filled with glass curtain wall providing a regular pattern of articulation along the two-story base. The extension of the Gift Shop, Entry Vestibule and Chapel outward along the concourse will provide additional articulation elements. On the upper three floors the windows will protrude outward from the building three feet continuing the articulation of the façade of the building.

Lighting

The Concept Plan includes restrictions on site lighting such that the property will be limited to a maximum mounting height of 30 feet.

Drainage & Stormwater

The Concept Plan includes a wet pond on site for increased water quality and includes the following information regarding the wet pond:

This best management practice (BMP) will treat the entire site of Tract 1 for water quality and provide approximately 93% total suspended solids (TCC) removal efficiency. In addition to provide water quality,

the pond will also detain the 2-, 10-, 25-, and 100- year storm events. The pond will also serve as an aesthetic landscape feature and serve as the main focal point as you enter the site.

Stormwater run-off from the developed portions of the site will be collected in roof drains, area inlet and curb inlets. The captured stormwater will be conveyed in below-grade storm sewer conduit to the earth-wall wet pond providing both detention and water quality. The wet pond will also serve as a source of landscape irrigation water, ensuring the re-use of the stormwater at least once.

Base Zoning and Meritorious Modifications

C-1 General Commercial is the base, underlying zoning district for standards not identified in the PDD. At the time of site plan and plat, the project will need to meet all applicable site, architectural and platting standards required by the Unified Development Ordinance except where meritorious modifications are granted with the PDD zoning.

Meritorious Modifications Granted:

- Section 7.2.I “Number of Off-Street Parking Spaces Required” of the Unified Development Ordinance**
The following are the modified parking requirements:

Use	Unit	Spaces/Unit	UDO Requirement
Hospital	Bed	2	As determined by the Administrator
Medical or Dental Clinic < 20,000 s.f.	200 s.f.	0.8	1
Office Building	250 s.f.	0.875	1

- Section 7.2.C “Dimensions & Access” of “Off-Street Parking Standards”**
The minimum parking space size is not less than nine feet by eighteen feet six inches (9’x18.5’).
- Section 5.4 “Non-Residential Dimensional Standards” of the Unified Development Ordinance**
The following are the setbacks and height limitations for the property:

	Tract 1
Min. Lot Area	None
Min. Lot Width	N/A
Min. Lot Depth	N/A
Min. Front Setback	50’
Min. Side Setback	50’
Min. S.S. Setback	25’
Min. Rear Setback	25’
Max. Height	6 stories (96’)

- Section 7.3.C.7 “Geometric Design of Driveway Access” of the Unified Development Ordinance**
The modification allows for medians within driveways. The total pavement width (minus the median) will be in the range of 24 and 36 feet. At the time of site plan, all drives will be designed to the satisfaction of the Fire Department and meet minimum sight distance requirements.
- Section 7.4 “Signs” of the Unified Development Ordinance**

A special sign package is permitted for Tract 1, the hospital property, and is attached as a part of "EXHIBIT G." The proposal includes 29 signs that, due to their size, are considered freestanding signs by the Unified Development Ordinance. In addition, the hospital is permitted to utilize their corporate logo flag alongside the Country and State flags.

6. **Section 7.9 B.3 "Building Materials" of the Unified Development Ordinance**
Up to 30% high-grade architectural metal is permitted on the hospital structure on Tract 1. Metal is limited on other structures to a maximum of 15%. In addition, each tract shall meet the highest architectural standards of the Unified Development Ordinance, architectural standards for building plots over 150,000 square feet of building area (regardless of the building sizes constructed).
7. **Section 7.9.E.3 "Additional Standards for 50,000 s.f. or Greater" "Landscaping" of the Unified Development Ordinance**
Trees generally required to be planted in tree wells within a sidewalk along primary facades are permitted to be planted in landscape areas instead. Shade structures or plantings shall be located along the sidewalks.
8. **Section 7.9.F.4 "Additional Standards for 150,000 s.f. or Greater of the Unified Development Ordinance**
Parking screening berms are not required for parking areas located beyond 100 feet from the public right-of-way if the area between the parking and the right-of-way remains as open space. The parking shall be screened using another method such as landscaping.
9. **Table V "Streets and Alleys" of the Bryan/College Station Unified Design Guidelines**
A 2-lane Major Collector right-of-way width of 60 feet (Scott & White Drive, Medical Avenue, Healing Way) is permitted with bike lanes. The 4-Lane Major Collector (Lakeway) is permitted to have a right-of-way width of 80 feet with bike lanes.
10. **Section 7.9.2 "Building Mass & Design" and Section 7.9.E.1 "Façade Articulation" of the Unified Development Ordinance**
The applicant believes that the proposed hospital structure complies with the intent of the ordinances. Proposed building elevations have been provided with this report.
11. **Section 7.9.F.2 "Additional Standards for 150,000 s.f. or Greater" of the Unified Development Ordinance**
This ordinance section requires that each façade utilize a minimum of 50% masonry materials. The applicant has identified that the north façade includes 48.65% masonry. All other facades exceed the 50% requirement and as a whole the building exceeds the requirement.
12. **Section 7.9.E.4.d "Pedestrian / Bike Circulation & facilities" of the Unified Development Ordinance**
The UDO requires a 10-foot sidewalk along the full length of any façade facing a right-of-way. The applicant has requested to vary from this requirement in several instances. The west façade of the hospital has no public access points and is grade separated along the majority of its face. Also, the west facade of the utility building has no public access point and has cooling tower intake grills along much of its face.
13. **Section 7.9.B.1 "Required Screening" of the Unified Development Ordinance**
The applicant has proposed a 10-foot tall screening wall for the bulk oxygen tank, but believes that screening the full height of the tank will be more visually intrusive than screening only the lower portion. The exposed portion of the tank will be painted a complimentary color and will contain not company logo.

EXHIBIT "C"

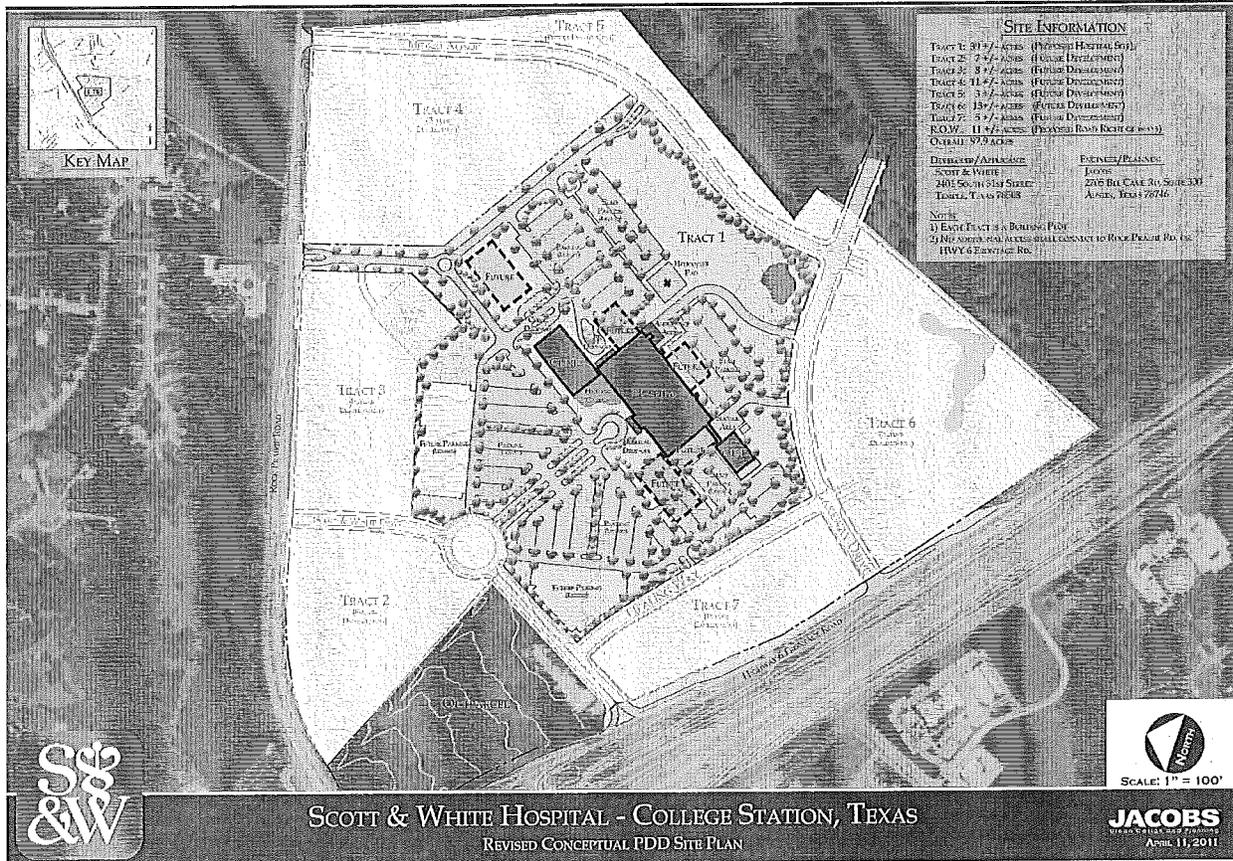


EXHIBIT "D"

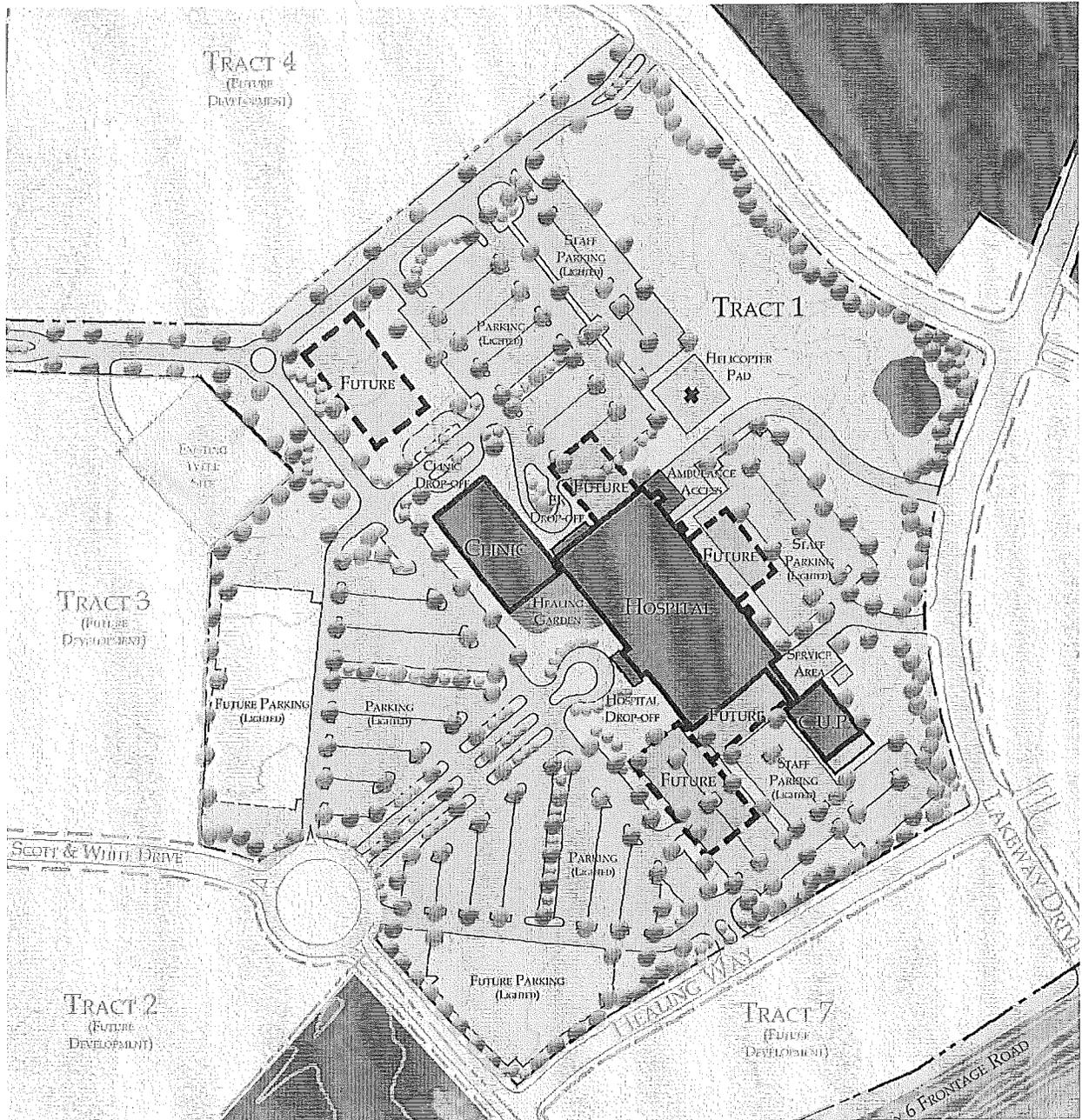


EXHIBIT "E"

SITE INFORMATION

TRACT 1: 39 +/- ACRES (PROPOSED HOSPITAL SITE)
TRACT 2: 7 +/- ACRES (FUTURE DEVELOPMENT)
TRACT 3: 8 +/- ACRES (FUTURE DEVELOPMENT)
TRACT 4: 11 +/- ACRES (FUTURE DEVELOPMENT)
TRACT 5: 3 +/- ACRES (FUTURE DEVELOPMENT)
TRACT 6: 13 +/- ACRES (FUTURE DEVELOPMENT)
TRACT 7: 5 +/- ACRES (FUTURE DEVELOPMENT)
R.O.W.: 11 +/- ACRES (PROPOSED ROAD RIGHT OF WAYS)

OVERALL: 97.9 ACRES

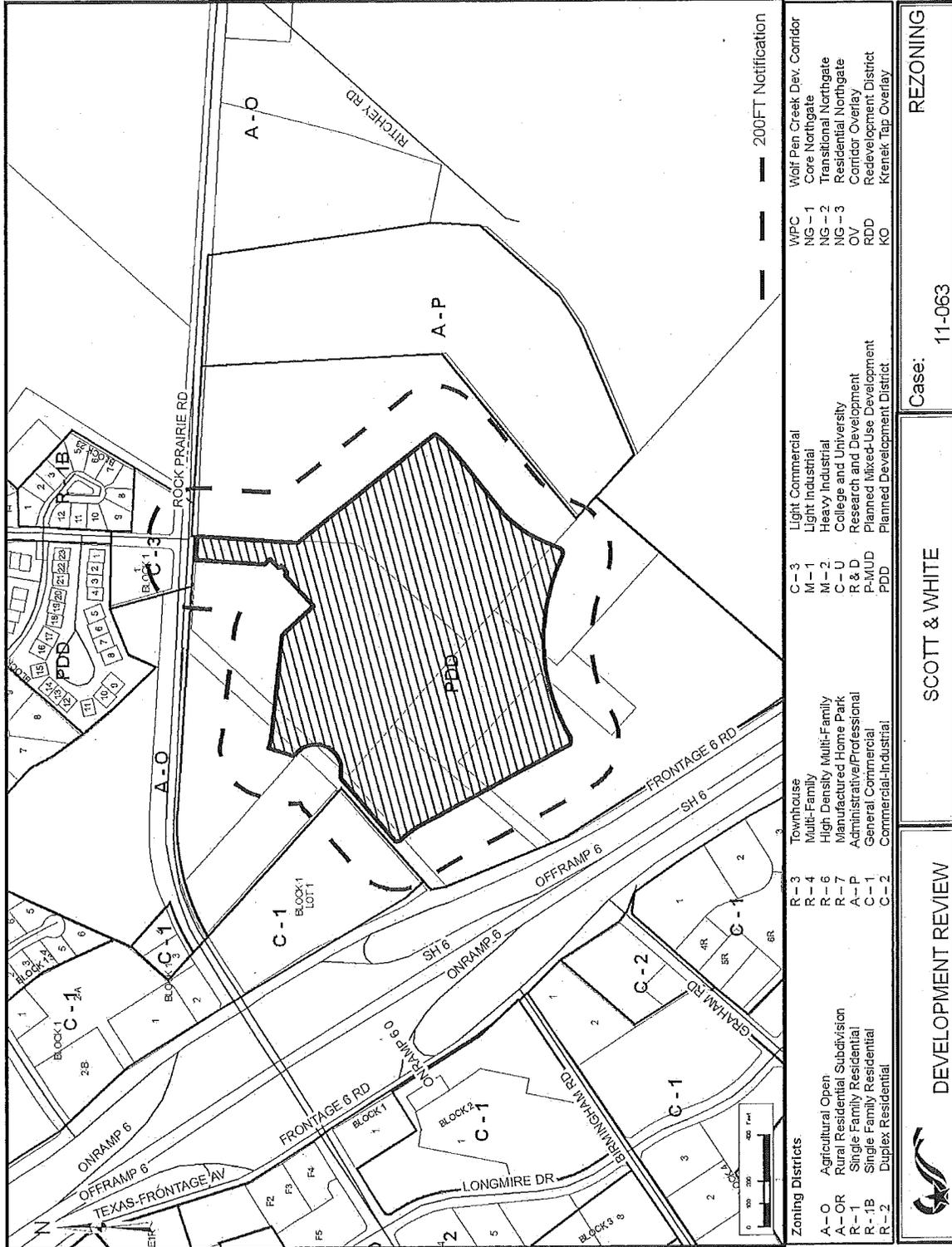
DEVELOPER/APPLICANT:
SCOTT & WHITE
2401 SOUTH 31ST STREET
TEMPLE, TEXAS 78508

ENGINEER/PLANNER:
JACOBS
2705 BEE CAVE RD, SUITE 300
AUSTIN, TEXAS 78746

NOTES:

- 1) EACH TRACT IS A BUILDING PLOT
- 2) NO ADDITIONAL ACCESS SHALL CONNECT TO ROCK PRAIRIE RD. OR HWY 6 FRONTAGE RD.

EXHIBIT "F"



REZONING
Case: 11-063

SCOTT & WHITE

DEVELOPMENT REVIEW

EXHIBIT "G"
See Attached Scott & White Proposal

Planned Development District

Submitted to:



CITY OF COLLEGE STATION

Prepared for:



2401 South 31st Street
Temple, Texas 76508

August 25, 2010

Revised:

October 11, 2010

October 25, 2010

October 28, 2010

November 12, 2010

Prepared by:

JACOBS™

2705 Bee Cave Road, Suite 300
Austin, Texas 78746

PROJECT DESCRIPTION

EXECUTIVE SUMMARY

Tract 1

A new, 330,000-square-foot (SF), five-story (plus mechanical penthouse), freestanding, 143-bed acute care Scott & White Hospital at College Station and a 10,000-square-foot (SF) Central Utility Plant (CUP) is planned at the Southeast intersection of Rock Prairie and Highway 6. The proposed Hospital tract (Tract 1) will encompass approximately 38.9-acres of the 97.9-acre site.

A separate 150,000-square-foot (SF), five-story, Clinic building is planned to be constructed adjacent to the Hospital. The future Clinic will connect to the Hospital northwest corner of the first level only.

The facility will have five use-categorized entries to the facility including a main entrance for visitors, a staff entry, a delivery entrance, an ambulance Emergency Department (ED) entrance and a walk-in ED entrance. There will be a circulation drive around the Hospital and clinic that will provide access from these primary entry points. Much of the required parking, 880 spaces (two per bed and four per 1,000 SF of clinic) will be inside of the circulation drive with minimal crossing of driveways.

The Hospital will be designed to accommodate expansion at a later date; a one-story expansion at the east side; a two-story expansion at the south side; and a three-story addition at the west end. In addition, a future clinic and/or medical office building is proposed for up to five stories east of the clinic. This future square footage will be approximately 350,000 square feet.

The bed units will be provide for: Intensive Care (ICU) providing continuous observation of high acuity patients; Neonatal Intensive Care (NICU) providing that same level of care for infants; Post Partum Unit; Intermediate Care Unit (IMCU); and Medical/Surgical (M/S) Unit. Patient rooms will be private and there will be a minimum of one isolation room per unit and two for every 24 beds in M/S.

The Hospital will contain required ancillary and support departments. The ED will contain exam rooms and treatment bays. Imaging will contain treatment modalities required for an acute care facility, including general radiology, CT and MRI. Space is allocated in the Hospital for a PET scanner. At opening this modality will be provided with a mobile unit. Along with eight operating rooms in the Surgical Department there will be cardiac catheterization labs, endoscopic procedure rooms and a procedure center for EEG's and EKG's. Laboratory and pharmacy space will be provided to support patient needs.

The hospital will contain a full-service kitchen to support the patients, staff and visitors and a dining room. The design will include kitchen and support equipment. Administrative services and an Education/ Conference Center will also be included. The 10,000 SF CUP will be in a separate structure adjacent to the Hospital.

Exterior materials of the front elevation's 2-story base will include stone, brick and glass. The addition of architectural metal panels will complete the material pallet for the upper three floors. A strong vertical motif is developed with the stone pillars along 2 story lobby/waiting concourse. The stone pillars are 6 ft wide and occur along the concourse on 15 ft centers. The space between the pillars is recessed 18" and in-filled with glass curtain wall providing a regular pattern of articulation along the 2 story base. The extension of the Gift Shop, Entry Vestibule and Chapel outward along the concourse will provide additional articulation elements. On the upper three floors the windows will protrude outward from the building 3 ft continuing the articulation of the façade of the building.

The 30-foot horizontal module and the 16-foot floor-to-floor height allows for windows and door openings to work well with standard masonry dimensions at all levels. At the building base, the openings are recessed into the brick and stone. The 2-story lobby/waiting area will be the focal point for public interaction, with clinical patient areas designed to have animated features and varying heights working within the vertical and horizontal module.

Canopies will be simple horizontal elements with a metal panel fascia, serving as an icon that becomes recognizable at the public entries. This element will float over the length of the lobby area. Outdoor areas will include the healing garden and exterior waiting areas, featuring trellises to provide sun protection.

Tracts 2-7

These tracts will be available for future development and entitled by this PDD and will require approved revised Concept Plans prior to site plan approval or the issuance of permits for development of the property.

- Tracts 2-7 will need to provide proof of adequate public facilities, including sewer service, prior to approval of revised Concept Plans on those tracts.
- An additional Traffic Impact Analysis (TIA) will be required with Concept Plans for Tracts 2-7.
- Development resulting in the additional allocated trips, as described in the staff report, be limited to Tracts 6 or 7. No additional trips shall be generated by development on Tracts 2, 3, 4, or 5 without the development of a revised TIA and associated improvements on Rock Prairie Road.
- If the Spring Creek District Plan is completed prior to revised Concept Plans being approved for Tracts 2-7, those Concept Plans will need to be in compliance with the district plan.

CIVIL/ SITE

The development of this site will be subject to the rules and regulations established by the City of College Station except as amended here in this PDD; the Environmental Protection Agency (EPA); the Texas Commission on Environmental Quality (TCEQ); the Texas Department of Licensing and Regulation (TDLR); Rockford Energy, due to their lease rights of the existing oil well at the northeast corner of the site; Bryan Texas Utilities (BTU), College Station Electric (CS Electric) and Atmos Energy.

This project site is comprised of numerous existing tracts and an existing oil well within the site. The site has an existing road, Old Rock Prairie, which will be removed, and overhead electric lines running through the middle that will be relocated. It is covered with natural grass vegetation and has three buildings that will be demolished. No portion of the site is within existing Federal Emergency Management Agency (FEMA) floodplain.

The site topography falls from north to south with average slopes on the range of two percent to four percent. The soils and geotechnical site conditions have been described in a geotechnical report previously prepared. A revised geotechnical report and pavement recommendations will be prepared by Terracon who has been retained by the Owner.

Future neighbors include the residential subdivision to the north and undeveloped property to the east, neither of which currently have a direct connection to the proposed project.

Zoning

Current zoning will be changed to Planned Development District (PDD) utilizing a base zoning of C-1 (general commercial). The PDD zoning ordinance will be written to support variances to the base zoning of C-1 for a building height maximum of six stories, landscape, signage, lighting, thoroughfare plan and parking.

Thoroughfare Plan and Access

Access to the site will be provided from two existing roads, Rock Prairie Road and the northbound Highway 6 frontage road, as well as four proposed roads as required by the City's Thoroughfare Plan: Medical Avenue, Scott & White Drive, Healing Way, and Lakeway Drive as this site is within part of the City's Thoroughfare Plan.

Parking

Parking for the new development will be provided on surface parking lots. The main circulation drives will be heavy duty concrete or asphalt pavement and the parking areas will be light duty concrete or asphalt pavement. Driveways from public streets, loading areas, ambulance drives, service courts and paved areas under canopies will be concrete or asphalt pavement. At the time of site plan, all drives

are designed to the satisfaction of the Fire Department and meet minimum sight distance requirements.

Stormwater

Stormwater runoff from these developed portions of the site will be collected in roof drains, area inlets and curb inlets. The captured stormwater will be conveyed in below-grade storm sewer conduit to an earth-wall wet pond providing both detention and water quality. Detention is required in the City and providing water quality will be an added benefit to the environment. The wet pond will also serve as a source of landscape irrigation water thus ensuring re-use of the stormwater at least once.

Wastewater Service

Wastewater will be collected from the site through a system of gravity lines leading to a lift station, which will pump to an existing on-site manhole. The City has verified limited existing capacity for wastewater service to this site. The City is currently undertaking wastewater studies to master plan wastewater service for the entire system in this region.

Water Service

Initial meetings with City engineers have dictated the design of the water system, which is sized to serve the site with a looping water line around both the Hospital and Clinic. Proper placement of fire hydrants will meet the fire protection requirements necessary for this project. The fire lanes of at least 23 feet (face of curb) in width and parking lot radii of 25 feet will be provided to give adequate access to the new facilities. AS this site is part of a City Water Master Plan an 18 inch waterline will be installed along the Highway 6 frontage Road.

Electric Service

Routed across the site is Old Rock Prairie and overhead electric lines. The existing road will be abandoned but the overhead electric lines will be relocated. Both CS Electric and BTU have lines that must be relocated to the frontage road of Highway 6.

Natural Gas Service

This site is served by Atmos Energy. A new service line will be extended to the site along the frontage road of Highway 6. From this service line, a feed will be extended to serve the Hospital and clinic and a feed will be extended to the CUP.

Telecommunications Service

This site is served by Suddenlink and all components to serve this site will be installed to their standards.

LANDSCAPE

The design focus for the project will be to provide landscaped entries, landscape areas defining parking areas, and islands within the parking lots with shade trees and lining pedestrian isles. In addition, irrigation may be provided through the collection of rainwater harvesting and air conditioning condensation collection and distributed in best management practices for irrigation system to reduce water costs.

Project design elements include planting a Texas vernacular landscape utilizing native and adaptive native plant material, the use of indigenous hardscape materials, such as Austin Stone and decomposed granite. Other hardscape materials will be proposed, such as concrete or concrete pavers, cast stone planters of various sizes to display seasonal color, water features (either self contained pumping system or pool design), and tree grates for planting trees in pavement. These materials will create shaded walkways, benches for the exterior of the building, arbors in the courtyards and moveable tables and chairs to provide seating for the courtyard spaces.

At least two proposed courtyard spaces located adjacent to the proposed Hospital building are being planned at easily accessible locations for patients, their families and staff. The courtyards will be designed to address the needs of this special user group and pedestrian flow patterns. The main areas of this design focus include a healing garden and outdoor waiting plazas.

WAYFINDING

A complete wayfinding package will be developed to meet Scott & White standards.

Exterior sign types include, but not limited to, an illuminated entry monument, secondary monument, primary hospital building mounted identification, building top identification logo, emergency identification on building, vehicular and pedestrian directional signage, and parking lot identification.

Interior sign types include, but not limited to, information kiosk, mission statement, building directory host, directionals, room identification, room numbers, restroom identification, interpretative services sign, elevator fire evacuation and stair identification.

DEVELOPMENT STANDARDS

The development of this site will be subject to the rules and regulations established by the City of College Station for the C-1 Base Zoning except as amended here:

Article 5. District Purpose Statements and Supplemental Standards

5.3 Non-Residential Zoning Districts

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.

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	Tract 1	Tract 2	Tract 3	Tract 4	Tract 5	Tract 6	Tract 7
Min. Lot Area	None	None	None	None	None	None	None
Min. Lot Width	N/A	24'	24'	24'	24'	24'	24'
Min. Lot Depth	N/A	100'	100'	100'	100'	100'	100'
Min. Front Setback	50'	35'	35'	35'	24'	35'	35'
Min. Side Setback	50'	15'	15'	(A)(B)	(A)(B)	(A)(B)	(A)(B)
Min. St. Side Setback	25'	25'	25'	15'	15'	15'	15'
Min. Rear Setback	25'	25'	25'	15'	15'	15'	15'
Max. Height	6 Stories (96 feet)	2 Stories (30 feet)	2 Stories (30 feet)	4 Stories (50 feet) (D)	2 Stories (C)	4 Stories (50 feet)	4 Stories (50 feet)

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. (below)
 (D) Buildings located on Tract 4 shall be limited to a maximum of 2 stories from Rock Prairie Road to a depth of 400 feet. Beyond the 400 feet heights may rise to 3 stories and buildings adjacent to Tract 1 shall be allowed to be up to 4 stories.

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.

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, residential, or mix of 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.

Article 6. Use Regulations

6.2 Types of Use

C. Use Table

Except where 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 Specific Uses	Non-Residential Districts						
	Tract 1	Tract 2	Tract 3	Tract 4	Tract 5	Tract 6	Tract 7
RESIDENTIAL							
Boarding & Rooming House							
Extended Care Facility / Convalescent / Nursing Home	P	P	P	P	P	P	P
Dormitory							
Duplex							
Fraternity / Sorority							
Manufactured Home							
Multi-Family							
Multi-Family built prior to January 2002							
Single-Family Detached							
Townhouse							
PUBLIC, CIVIC AND INSTITUTIONAL							
Educational Facility, College & University	P	P	P	P	P	P	P
Educational Facility, Indoor Instruction	P	P	P	P	P	P	P

Educational Facility, Outdoor Instruction	P					P	
Educational Facility, Primary & Secondary		P	P	P	P	P	P
Educational Facility, Tutoring				P	P	P	P
Educational Facility, Vocational / Trade	P			P	P	P	P
Governmental Facilities		P	P	P	P	P	P
Health Care, Hospitals	P					P	
Health Care, Medical Clinics	P	P	P	P	P	P	P
Parks		P	P	P	P	P	P
Places of Worship		P	P	P	P	P	P
COMMERCIAL, OFFICE AND RETAIL							
Agricultural Use, Barn or Stable for Private Stock							
Agricultural Use, Farm or Pasturage							
Agricultural Use, Farm Product Processing							
Animal Care Facility, Indoor		P	P	P	P	P	P
Animal Care Facility, Outdoor							
Art Studio / Gallery		P	P	P	P	P	P
Car Wash						p*	p*
Commercial Garden / Greenhouse / Landscape Maint.						p*	p*
Commercial Amusements		C	C			p*	p*
Conference / Convention Center						P	
Country Club						P	
Day Care, Commercial		P	P	P	P	P	P
Drive-in / thru window		p*#	p*+	p*+	p*	P	P
Dry Cleaners & Laundry		p*	p*	p*		P	P
Fraternal Lodge						P	
Fuel Sales						p*	p*
Funeral Homes							
Golf Course or Driving Range							
Health Club / Sports Facility, Indoor		p#	p+	p+		P	P
Health Club / Sports Facility, Outdoor						P	
Hotels						P	P
Night Club, Bar or Tavern						C	C
Offices	P	P	P	P	P	P	P
Parking as a Primary Use					C	P	
Personal Service Shop		P	P	P	P	P	P
Printing / Copy Shop		P	P	P	P	P	P
Radio / TV Station / Studios				P	P	P	P
Restaurants		P	P			P	P
Retail Sales - Single						P	P

Tenant over 50,000 SF							
Retail Sales and Service		p*	p*	p*		p*	p*
Retail Sales and Service - Alcohol		p*	p*	p*		p*	p*
Sexually Oriented Business (SOB)							
Shooting Range, Indoor							
Theater						P	P
Retail Sales, Manufactured Homes							
Storage, Self Service						P	
Vehicular Sales, Rental, Repair and Service						p*	
Wholesales / Services							
Bulk Storage Tanks / Cold Storage Plant							
Industrial, Light							
Industrial, Heavy							
Recycling Facility - Large							
Salvage Yard							
Scientific Testing / Research Laboratory	P	P	P	P	P	P	P
Storage, Outdoor - Equipment or Materials							
Truck Stop / Freight or Trucking Terminal							
Utility		p*	p*	p*	p*	p*	p*
Warehousing / Distribution							
Waste Services							
Wireless Telecommunication Facilities - Intermediate	p*						
Wireless Telecommunication Facilities - Major				C	C	C	C
Wireless Telecommunication Facilities - Unregulated		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).

+ Drive-in / thru windows shall be limited to not include restaurants and Health clubs are limited to 20,000 s.f.

Health clubs are limited to 20,000 s.f. and Drive-in / thru windows shall be limited to only the area identified as C-1 Zoning.

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

1. 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.
2. 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.
3. 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 (8').

Article 7. General Development Standards

7.1 General Provisions

D. Required Yards (Setbacks)

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:

- o. Signage as indicated on the Proposed Signage Plan Exhibit.

H. Height

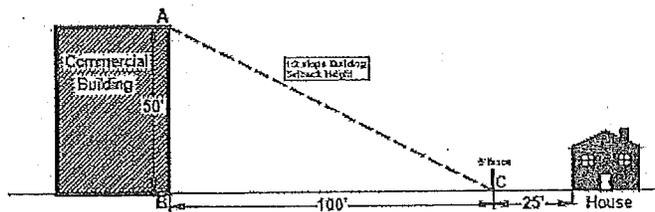
1. Building Height

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, hip, 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 Tract 1, no multi-family or nonresidential structure shall be located nearer to any property line adjacent to or across the street from 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 PDD, the height limitations herein shall not apply to any of the following:

- 1) Utility structures such as elevated water storage tanks and electrical transmission lines;
- 2) 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
- 3) Residential radio/television receiving antennas.

3. Maximum Building Heights

- a. Tract 1: 6 stories (96 feet)
- b. Tract 2: 2 stories (30 feet)
- c. Tract 3: 2 stories (30 feet)
- d. Tract 4: 4 stories (50 feet); Buildings located on Tract 4 shall be limited to a maximum of 2 stories from Rock Prairie Road to a depth of 400 feet. Beyond the 400 feet heights may rise to 3 stories and buildings adjacent to tract 1 shall be allowed to be up to 4 stories.
- e. Tract 5: per UDO A-P zoning requirements.
- f. Tract 6: 4 stories (50 feet)
- g. Tract 7: 4 stories (50 feet)

7.2 Off-Street Parking Standards

B. Off-Street Parking Spaces Required

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.

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 eighteen feet six inches (9' x 18'-6") and each stall shall be striped. This standard shall apply for off-street parking for all uses.
2. An 18-foot paved space (90 degree only) may be utilized where the space abuts a landscaped island with a minimum depth of four feet (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.
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, or stripe to stripe.

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
All Tracts	90	9 feet	18.5 feet	23.0 feet	23.0 feet	9.0 feet	60	60

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.

I. Number of Off-Street Parking Spaces Required

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;

MINIMUM OFF-STREET PARKING REQUIREMENTS

Use	Unit	Spaces/ Unit	Plus Spaces For:
Day Care Center	250 s.f.	.8	
Hospital	As determined by the Administrator	2/Bed	
Medical or Dental Clinic < 20,000 s.f.	200 s.f.	.8	
Office Building	250 s.f.	.875	

"s.f." = square footage.

* 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%.

***Any allowed uses not listed above shall refer to the City's UDO for parking requirements and may be reduced by 20%.

K. Alternative Parking Plans

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.

7.3 Access Management and Circulation

C. Driveway Access Location and Design

2. Location of Driveway Access

Driveway locations shall be as shown on the PDD Concept Site Plan for Tract 1 & 4.

7. Geometric Design of Driveway Access

e. The maximum width of commercial driveway approaches for two-way operation shall not exceed thirty-six feet (36') of pavement, except that the Administrator may issue permits for driveway approaches greater than thirty-six feet (36') 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 twenty-four feet (24') of pavement.

7.4 Signs

C. Summary of Permitted Signs

The following signs are permitted in the relevant zoning districts of the City:

	Tract 1	Tract 2	Tract 3	Tract 4	Tract 5	Tract 6	Tract 7
Apartment/Condominium/ Manufactured Home Park Identification Signs							
Area Identification/ Subdivision Signs	X	X	X	X	X	X	X
Attached Signs	X	X	X	X	X	X	X
Commercial Banners		X	X	X	X	X	X
Development Signs	X	X	X	X	X	X	X
Directional Traffic Control Signs	X	X	X	X	X	X	X
Freestanding Signs	X	X	X			X	X
Home Occupation Signs							
Low Profile Signs	X	X	X	X	X	X	X
Non-Commercial Signs		X	X	X	X	X	X
Real Estate, Finance, and Construction Signs	X	X	X	X	X	X	X
Roof Signs	X					X	X

D. Prohibited Signs

The following signs shall be prohibited in the City of College Station:

3. Inflated signs, pennants, tethered balloons, and/or any gas filled objects for advertisement, decoration, or otherwise, except as permitted in Section 7.4.P, Grand Opening Signs and Section 7.4.U, Special Event Signs.
5. 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).

F. Sign Standards

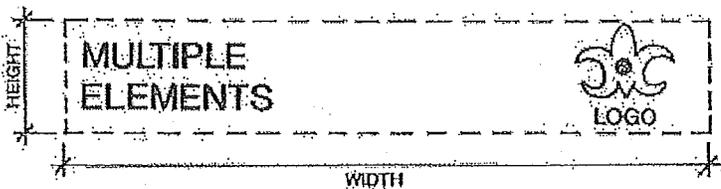
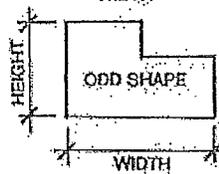
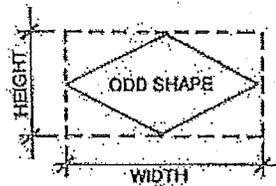
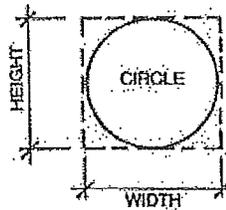
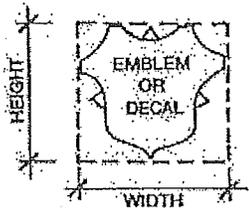
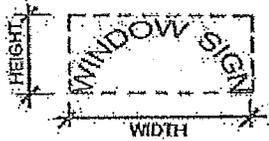
The following table summarizes the sign standards for the City of College Station:

Sign Type	Maximum Area (s.f.)		Maximum Height (ft.)		Setback From ROW (ft.)		Number Allowed	
	Tract 1	Tracts 2-7						
Area Identification Signs	As per Preliminary Site Sign Locations Plan	per UDO	As per Preliminary Site Sign Locations Plan	16 feet.	As per Preliminary Site Sign Locations Plan	per UDO	As per Preliminary Site Sign Locations Plan	per UDO
Attached Signs								
Development Signs								
Residential /Collector Street								
Arterial Street								
Freeway (As designated on Thoroughfare Plan)								
Directional Traffic Control Signs								
Freestanding Signs								

Low Profile Signs (In lieu of permitted Freestanding Sign)								
Real Estate, Finance, and Construction Signs								
Up to 150-foot frontage								
Greater than 150-foot frontage								
Roof Signs								

* Except as provided for in Section 7.4.N.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.

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. Signs 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.

L. 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.

M. 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.

N. 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.)	
	Tract 1	Tracts 2-5
0-75	As per Conceptual Site Sign Location Plan	Per UDO
76-100		
101-150		
151-200		
201-250		
251-300		
301-350		
351-400		
401-450		
451-500		
501-550		
551-600+		

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.

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.

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.

T. Roof Signs

1. Signs mounted to the structural roof shall be regulated as Freestanding Commercial Signs.

7.5 Landscaping and Tree Protection

C. Landscaping Requirements

1. The landscaping requirements shall be determined on a point basis as follows:

- a. Minimum Landscape Points required: 30 points per 1,000 square feet of site area;
 - 1) Tract 1 requires 50,874 points [(1,695,791/1000 * 30)]
 - 2) Tracts 2-7 per UDO6 has no required landscaping

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 shall be permitted.

D. Streetscape Requirements

1. The streetscaping requirements shall be determined along all major arterials, freeways, and expressways as follows:

- 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;

1) Tract 1:

Rock Prairie frontage requires 4 canopy trees (102 l.f./25)

2) Tracts 2-7:

Per UDO

- b. Canopy and non-canopy trees must be selected from the College Station Streetscape Plant List and may be grouped as desired; and

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;

1) Tract 1:

Medical Avenue frontage requires 25 canopy trees (799 l.f./32)

Scott & White Drive frontage requires 27 canopy trees (867 l.f. /32)

Lakeway Drive frontage requires 26 canopy trees (828 l.f./32)
Healing Way frontage requires 29 canopy trees (914 l.f./32)

2) Tracts 2-7:
Per UDO

- b. Canopy and non-canopy trees must be selected from the Administrator's Streetscape Plant List and may be grouped as desired; and
- 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.

- a. Tract 1 requires an additional 21,060 points [(3,510 l.f./50) * 300]
- b. Tracts 2-7 per UDO

7.9 Non-Residential Architectural Standards

B. Standards for All Non-Residential Structures

The following table summarizes the Non-Residential Architectural Standards for the City of College Station:

3. Building Materials

5) Stainless steel, chrome, standing seam metal and premium grade architectural metal may be used as an architectural accent and shall not cover greater than thirty percent (30%) of any façade for Tract 1 and 15% for Tracts 2-7. For Tracts all of 2-3 & 5, and within 400 feet of Rock Prairie Road of tract 4 the building architecture, styles and façades of the structures will be similar to and consist of similar materials as those present in the subdivisions across Rock Prairie Road (Stonebrook, etc), The pitch will be a minimum of 4:12, or as approved by the City's design review board.

D. Additional Standards for 20,000 S.F. or Greater

In addition to the standards set out in Section 7.9.B, the following shall apply to any single building or combinations of buildings of 20,000 gross square feet in area, whether connected or not, but determined to be a single building plot.

E. Additional Standards for 50,000 S.F. or Greater

In addition to the standards set out in this Section 7.9.B and 7.9.D, the following shall apply to any single building or combinations of buildings of 50,000 gross square feet in area or greater, whether connected or not, but determined to be a single building plot.

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 gross square feet in area. The minimum allowable tree size is two inch (2") caliper. Streetscape point requirements remain the same and shall count toward the landscape point requirement.

- 1) Tract 1 requires a total 122,808 points (50,874*2 + 21,060)
- 2) Tracts 2-7 per UDO

- b. Trees are required along fifteen percent (15%) of the linear front of any façade facing a public right-of-way and shall include a minimum of one (1) canopy tree for every required six feet (6') in length. Non-canopy trees may be substituted in the tree wells provided that the number required shall be doubled. This landscaping shall count toward the overall landscape requirement.

Trees may be at grade or may be raised a maximum of thirty inches (30") in height, so long as the soil is continuous with the soil at grade. If the trees are located within interior

parking islands, then the islands shall not count toward the required interior parking islands as described in Section 7.2.E Interior Islands.

F. Additional Standards for 150,000 S.F. or Greater

In addition to the standards set out in Sections 7.9.B, 7.9.D, and 7.9.E, the following shall apply to any single building or combinations of buildings of 150,000 gross square feet in area or greater, whether connected or not but determined to be a single building plot.

3. The minimum allowable tree size is two and one half inches (2.5") caliper.
4. All parking areas must be screened from the public right-of-way using berms without exception for parking areas within 100 feet of the public right of way. Parking areas beyond 100 feet from the public right of way may choose to not provide berms so long as the area between the right of way and parking is open space area.

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 each Tract 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.

- a. Tracts 2 thru 5 shall be limited to a maximum mounting height of 12 feet.
- b. Tracts 1, 6 & 7 shall be limited to a maximum mounting height of 30 feet.

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.

7.12 Traffic Impact Analyses

A TIA has been submitted for the Proposed PDD Concept Plan, and was prepared according to the methodology approved by the City.

Article 8. Subdivision Design and Improvements

8.2 General Requirements and Minimum Standards of Design

A. Urban Standards

17. Drainage

All drainage shall be designed and constructed in accordance with the *Bryan/College Station Unified Design Guidelines and the Bryan/College Station Unified Technical Specifications, Chapter 13 Flood Hazard Protection Ordinance* and all applicable state and federal requirements.

Even though the City of College Station does not have a water quality requirement, we will still be providing water quality via a Wet Pond. This best management practice (BMP) will treat the entire site of Tract 1 for water quality and provide approximately 93% total suspended solids (TSS) removal efficiency. In addition to providing water quality the pond will also detain the 2, 10, 25, and 100 year storm events. The pond will also serve as an aesthetic landscape feature, and serve as the main focal point as you enter the site.

Site Design Minimum Standards for Commercial and Multi-Family Projects
Sign Standards
Sign Visibility

As per Preliminary Site Sign Locations Plan for Tract 1.

Bryan/College Station Unified Design Guidelines, 2009, Streets and Alleys

Table V

- Minor Collectors (Scott & White Drive, Medical Avenue, Healing Way) Right-of-Way width shall be 60 feet.
- Major Collector (Lakeway Drive) Right-of-Way width shall be 80 feet.

STRENGTHENING

TRACT 5 (Phase 1) (10/15/10)
 TRACT 4 (10/15/10)
 TRACT 3 (10/15/10)
 TRACT 2 (10/15/10)
 TRACT 1 (10/15/10)

TRACT 6 (10/15/10)
 TRACT 7 (10/15/10)

TRACT 8 (10/15/10)

TRACT 9 (10/15/10)

TRACT 10 (10/15/10)

TRACT 11 (10/15/10)

TRACT 12 (10/15/10)

TRACT 13 (10/15/10)

TRACT 14 (10/15/10)

TRACT 15 (10/15/10)

TRACT 16 (10/15/10)

TRACT 17 (10/15/10)

TRACT 18 (10/15/10)

TRACT 19 (10/15/10)

TRACT 20 (10/15/10)

TRACT 21 (10/15/10)

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TRACT 73 (10/15/10)

TRACT 74 (10/15/10)

TRACT 75 (10/15/10)

TRACT 76 (10/15/10)

TRACT 77 (10/15/10)

TRACT 78 (10/15/10)

TRACT 79 (10/15/10)

TRACT 80 (10/15/10)

TRACT 81 (10/15/10)

TRACT 82 (10/15/10)

TRACT 83 (10/15/10)

TRACT 84 (10/15/10)

TRACT 85 (10/15/10)

TRACT 86 (10/15/10)

TRACT 87 (10/15/10)

TRACT 88 (10/15/10)

TRACT 89 (10/15/10)

TRACT 90 (10/15/10)

TRACT 91 (10/15/10)

TRACT 92 (10/15/10)

TRACT 93 (10/15/10)

TRACT 94 (10/15/10)

TRACT 95 (10/15/10)

TRACT 96 (10/15/10)

TRACT 97 (10/15/10)

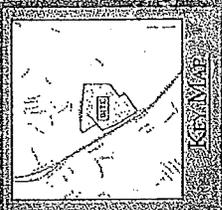
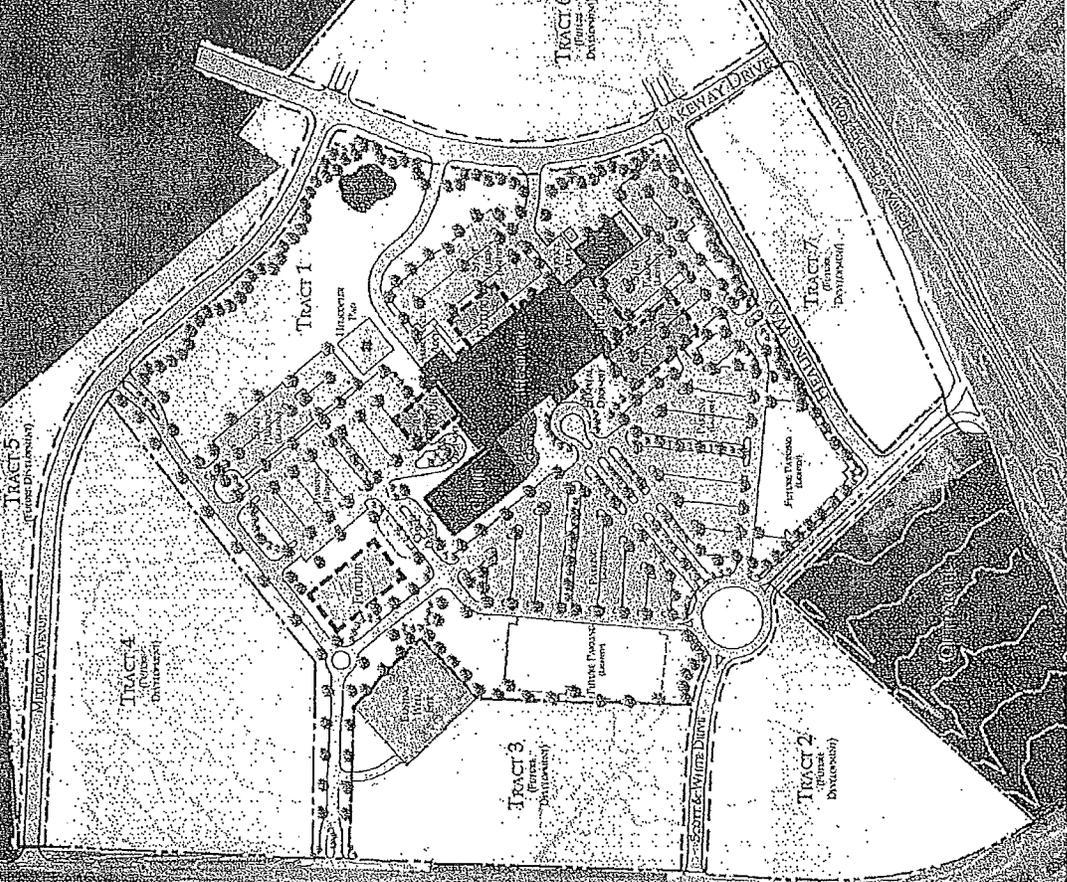
TRACT 98 (10/15/10)

TRACT 99 (10/15/10)

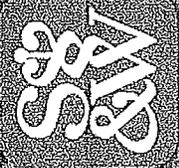
TRACT 100 (10/15/10)



JACOBS
 OCTOBER 25, 2010



SCOTT & WHITE HOSPITAL - COLLEGE STATION, TEXAS
 CONCEPTUAL PDD SITE PLAN



Site Plan: NTS

Note: Building footprint and sign locations shown are preliminary



Sign Type	Size	Qty	Squares Ft. per location
Primary Identification	16'h x 10'w	3	160 sq. ft. ea.
Secondary Identification	9'-9"h x 6'-6"w	4	63 sq. ft. ea.
Tertiary Identification	9'-3"h x 4'-3"w	1	40 sq. ft. ea.
Vehicular Directional	5'-3"h x 4'-9"w	4	25 sq. ft. ea.
Hospital Building Identification Logo and Name	4'-0"h x 48' Letters & 10' x 10' logo	3	600 sq. ft. ea.
Hospital Building Logo	10' x 10' logo	1	100 sq. ft. ea.
Hospital Emergency Identification	1'-6"h x 20' letters	1	30 sq. ft. ea.
Clinic & Future Building Identification	2'-0"h x 18' letters	6	36 sq. ft. ea.
Vehicular Directional (Less visible from Public Right of Way)	5'-3"h x 4'-9"w	17	25 sq. ft.

Prepared for: Jacobs

Scott & White Hospital :: Central Texas
Environmental Graphics Program

Jankedesign
#512228 843 #512229 6195
#1100W, 6th St., Austin, TX 78705
jankedesign.com

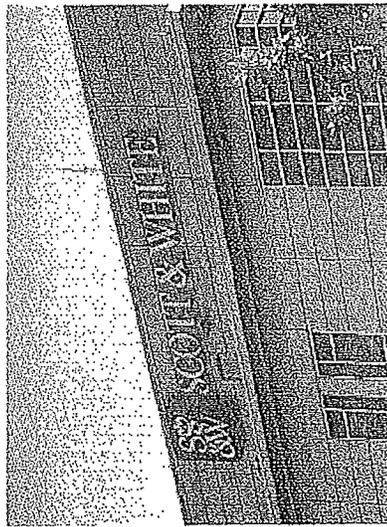
Issue: PDD Documentation
Date: Oct 11, 2010
Scale: NTS

Preliminary
11 Oct 2010

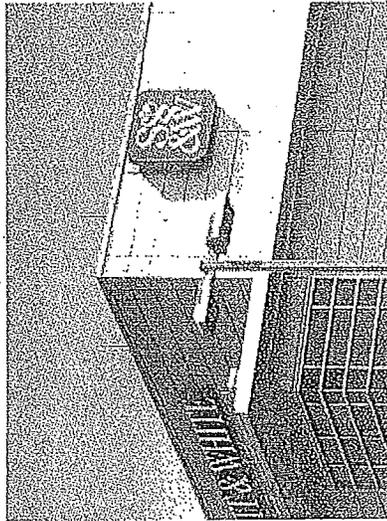
Preliminary Site Sign Locations

G 1:0

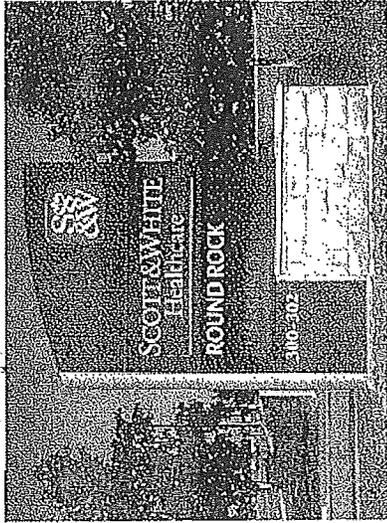
Signage Examples



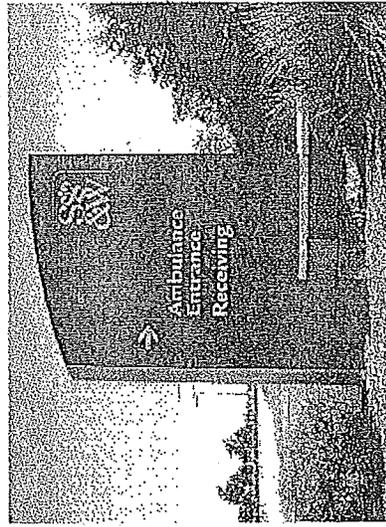
Hospital Building Identification
4'-0" Cap. Ht. Letters - 152 sq. ft. (estimated)



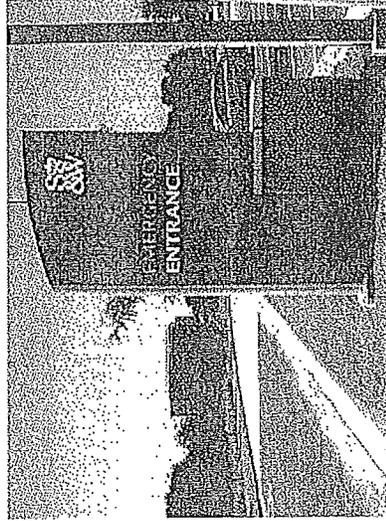
Hospital Building Logo
10' x 10' - 100 sq. ft. (estimated)



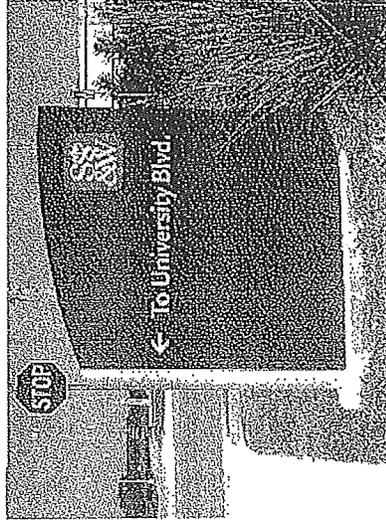
Primary Identification Sign
18' h x 10' w - 180 sq. ft.



Secondary Identification Sign
9'-3" h x 6'-6" w - 63 sq. ft.



Tertiary Identification Sign
9'-3" h x 4'-3" w - 40 sq. ft.



Vehicular Directional Sign
5'-3" h x 4'-9" w - 25 sq. ft.

Scott & White Hospital :: Central Texas
Environmental Graphics Program

Jankedesign
11111 W. 14th St., Suite 100
Dallas, TX 75244
Phone: 214.343.1111

Notes:
1. Clinic Building Identification example not shown.
2. Wayfinding messages and project name to vary.

Preliminary
11 OctY 2010

Issue: PPD Documentation
Date: Oct 11, 2010
Scale: N/A

Scott & White Signage
Examples

G | 2.0

April 28, 2011
Regular Agenda Item No. 7
Rezoning for 1400, 1402, 1404, 1406, 1408, 1410,
1500, 1502, & 1504 Airline Drive

To: David Neeley, City Manager

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

Agenda Caption: Public Hearing, presentation, possible action, and discussion regarding an amendment to Chapter 12, "Unified Development Ordinance", Section 4.2, "Official Zoning Map" of the Code of Ordinances of the City of College Station, Texas by rezoning 2.2257 acres located at 1400, 1402, 1404, 1406, 1408, 1410, 1500, 1502, & 1504 Airline Drive from C-1 General Commercial and R-6 High Density Multi-Family to R-6 High Density Multi-Family.

Recommendation(s): The Planning and Zoning Commission considered this item at their April 7, 2011 meeting and voted 5-0 to recommend approval. Staff also recommended approval of the request.

Summary: The Unified Development Ordinance provides the following review criteria for zoning map amendments:

REVIEW CRITERIA

- 1. Consistency with the Comprehensive Plan:** The subject property is designated Urban on the Comprehensive Plan Future Land Use and Character Map. The Urban land use designation is "generally for areas that should have a very intense level of development activities. These areas will tend to consist of townhomes, duplexes, and high-density apartments." This area was included in the Central College Station Neighborhood Plan that was adopted in June 2010. One of the strategies contained within the Neighborhood Plan is to initiate rezoning of select areas where the current zoning is not consistent with the Comprehensive Plan. The subject property is one of the rezoning areas, as identified in strategy CC3.2, which would rezone the C-1 General Commercial area to R-6 High Density Multi-Family so that if redevelopment would occur it would be in compliance with the Comprehensive Plan. The proposed request is consistent with Comprehensive Plan and this strategy identified in the Central College Station Neighborhood Plan.
- 2. Compatibility with the present zoning and conforming uses of nearby property and with the character of the neighborhood:** The proposed zoning is compatible with the adjacent multi-family and duplex uses located on the same block. In addition, this request will help preserve the character of the neighborhood by transitioning the large scale commercial uses along Texas Avenue and Harvey Mitchell Parkway to the single-family uses on the interior of the Southwood Valley 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:** The subject property was developed as multi-family apartments with the current zoning in 1977. At that time, multi-family could develop in C-1 General Commercial with approval of a Conditional Use Permit, which was obtained. With the adoption of the Unified Development Ordinance in 2003, multi-family was not permitted in C-1 General

Commercial and the use became non-conforming. The proposed rezoning would allow the use to become conforming again.

4. **Suitability of the property affected by the amendment for uses permitted by the district applicable to the property at the time of the proposed amendment:** The subject property is located on Airline Drive and is near a large commercial area. With this location there is potential to develop non-residential uses, however, the most of the property has a shallow depth of roughly 130 feet in depth, making non-residential uses more difficult to develop. The subject property is developed as a multi-family use and a small portion of it is already zoned R-6 High Density Multi-Family.
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:** With most of the development being a non-conforming use and two zoning districts located on the property, the applicant states that it is not eligible for certain types of loan funding which can negatively impact the marketability of the property.
6. **Availability of water, wastewater, stormwater, and transportation facilities generally suitable and adequate for the proposed use:** Adequate facilities are available for the existing multi-family use. A 12-inch water main exists along Airline Drive and a 6-inch sanitary sewer main extends along the rear of the property. The subject property is adjacent to Airline Drive which is not identified as a thoroughfare on the Thoroughfare Plan but is constructed as a minor collector.

Budget & Financial Summary: N/A

Attachments:

1. Background Information
2. Aerial & Small Area Map (SAM)
3. Draft Planning & Zoning Commission Minutes – April 7, 2011
4. Ordinance

BACKGROUND INFORMATION:

NOTIFICATIONS

Advertised Commission Hearing Date: April 7, 2011
Advertised Council Hearing Dates: April 28, 2011

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

Southwood Valley Neighborhood Association

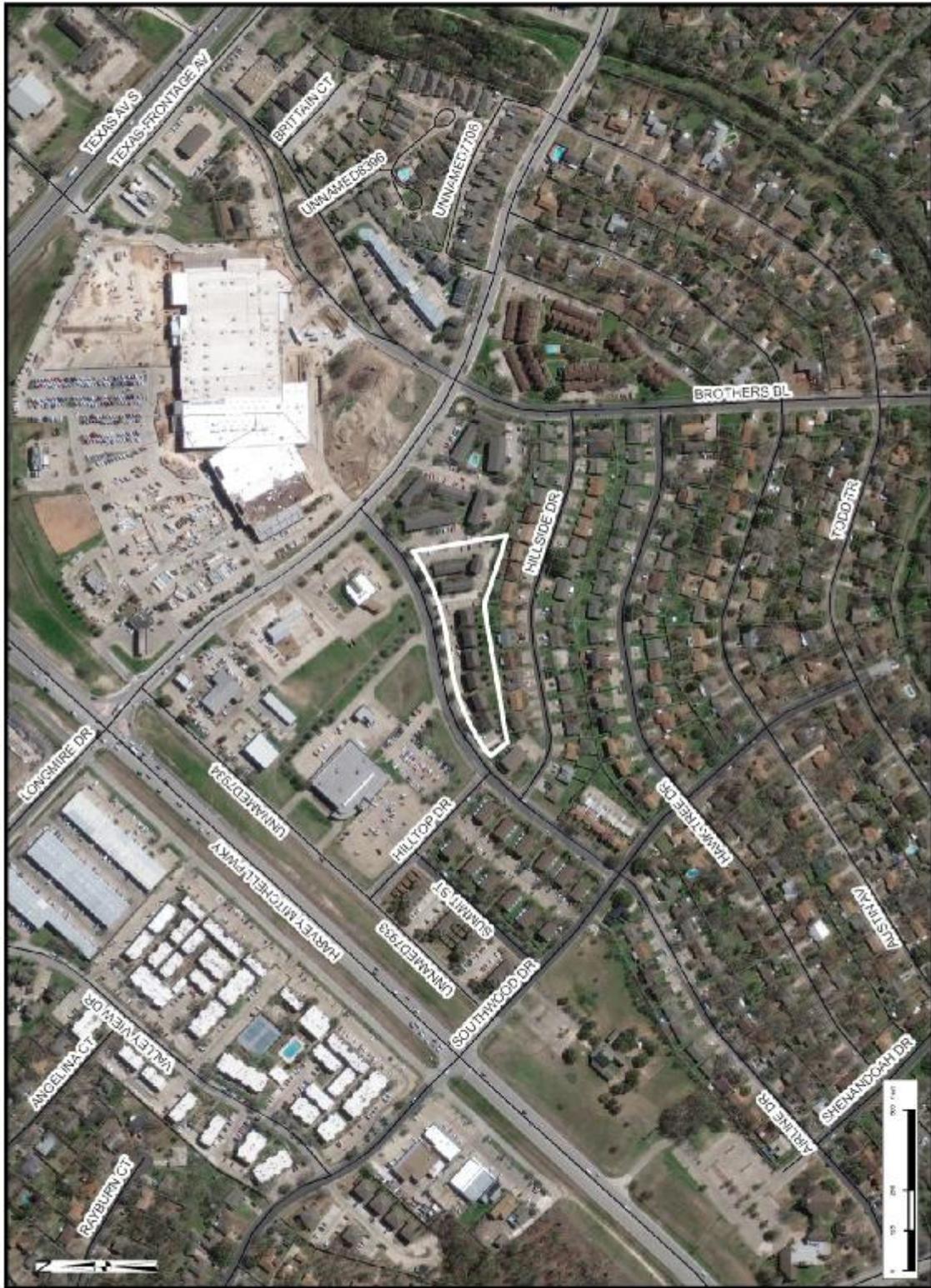
Property owner notices mailed: 29
Contacts in support: None at the time of staff report.
Contacts in opposition: None at the time of staff report.
Inquiry contacts: 1

ADJACENT LAND USES

Direction	Comprehensive	Zoning	Land Use
North	General Commercial, across Airline Drive	C-1 General Commercial	Post Office and Bank, across Airline Drive
South	Urban	R-6 High Density Multi-Family	Duplexes
East	Urban	R-6 High Density Multi-Family	Multi-Family Units
West	Urban	R-6 High Density Multi-Family	Multi-Family Units

DEVELOPMENT HISTORY

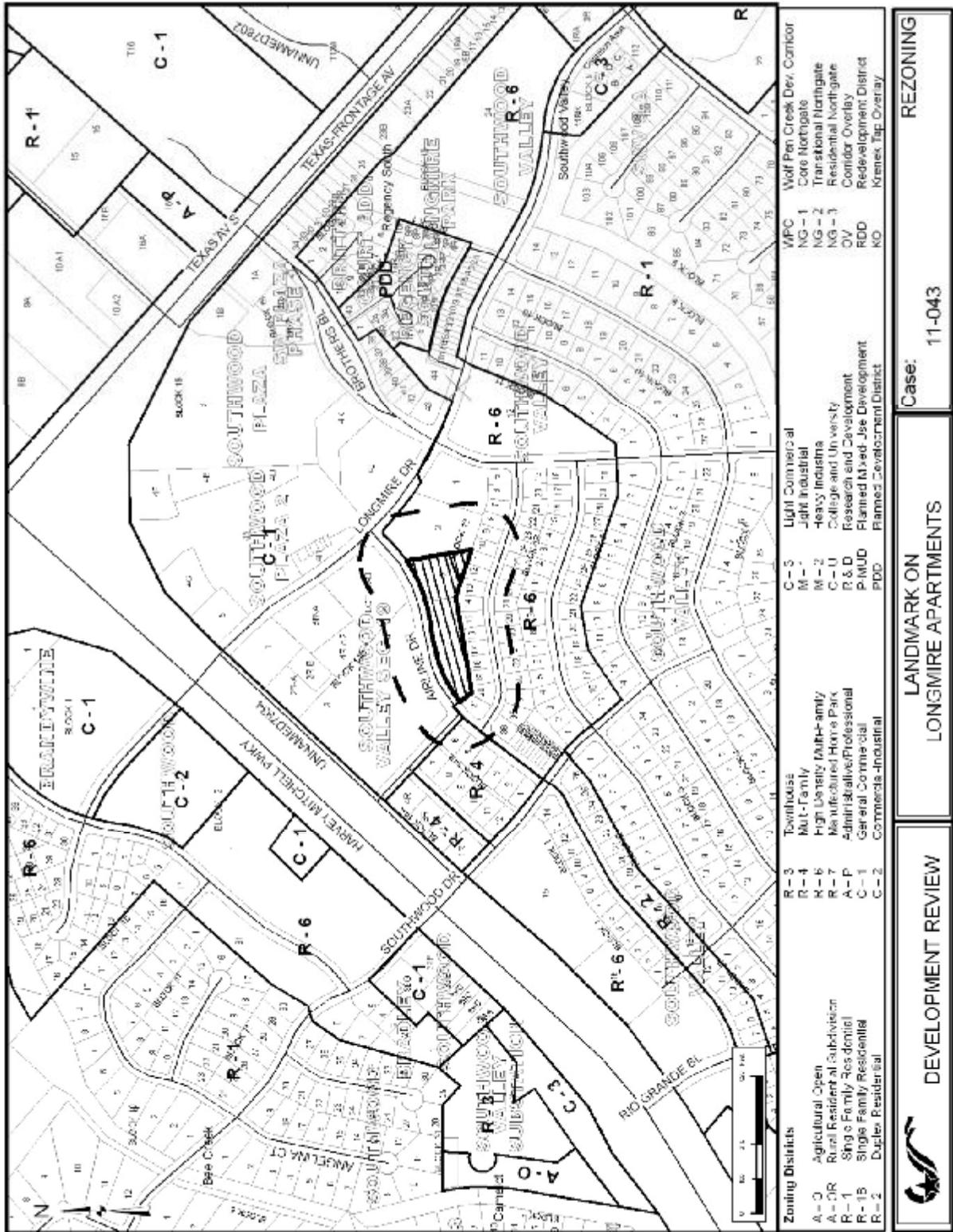
Annexation: 1974
Zoning: C-1 General Commercial and R-6 High Density Multi-Family (unknown); a Conditional Use Permit for multi-family units (1977)
Final Plat: 1976
Site development: Multi-family units developed in 1977.



REZONING
Case: 11-043

DEVELOPMENT REVIEW
LANDMARK ON
LONGMIRE APARTMENTS

DEVELOPMENT REVIEW

Zoning Districts	
A-0	Agricultural Open
A-0R	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
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 and Development
P-MUD	Planned Mixed Use Development
PDD	Planned Development District
VPC	Wolf Pen Creek Dev. Corridor
NG-1	Core Northgate
NG-2	Transitional Northgate
NG-3	Residential Northgate
OV	Corridor Overlay
RDD	Redevelopment District
KO	Krensek Tap Overlay

DEVELOPMENT REVIEW **LANDMARK ON** **REZONING**

LONGMIRE APARTMENTS

Case: 11-043



**DRAFT MINUTES
PLANNING & ZONING COMMISSION
Regular Meeting
April 7, 2011, 7:00 p.m.
City Hall Council Chambers
1101 Texas Avenue
College Station, Texas**

COMMISSIONERS PRESENT: Chairman Scott Shafer, Mike Ashfield, Jodi Warner, Hugh Stearns, and Bo Miles

COMMISSIONERS ABSENT: Doug Slack and Craig Hall

CITY COUNCIL MEMBERS PRESENT: None

CITY STAFF PRESENT: Jennifer Prochazka, Jason Schubert, Matt Robinson, Matthew Hilgemeier, Joe Guerra, Carol Cotter, Molly Hitchcock, Lance Simms, Bob Cowell, Carla Robinson, Carrie McHugh, Deborah Grace-Rosier, and Brittany Caldwell

1. Call meeting to order.

Chairman Shafer called the meeting to order at 7:05 p.m.

Regular Agenda

8. Public hearing, presentation, possible action, and discussion regarding a request to rezone 2.2257 acres located at 1400, 1402, 1404, 1406, 1408, 1410, 1500, 1502, and 1504 Airline Drive from C-1 General Commercial and R-6 High Density Multi-Family to R-6 High Density Multi-Family. **Case # 11-00500043 (JS) (Note: Final action on this item is scheduled for the April 28, 2011 City Council Meeting--subject to change)**

Senior Planner Schubert presented the rezoning request and recommended approval.

Chairman Shafer opened the public hearing.

No one spoke during the public hearing.

Chairman Shafer closed the public hearing.

Commissioner Ashfield motioned to recommend approval of the rezoning request. Commissioner Stearns seconded the motion, motion passed (5-0).

12. Adjourn.

Commissioner Warner motioned to adjourn the meeting. Commissioner Stearns seconded the motion, motion passed (5-0).

The meeting adjourned at 8:25 p.m.

ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 12, "UNIFIED DEVELOPMENT ORDINANCE," SECTION 4.2, "OFFICIAL ZONING MAP," OF THE CODE OF ORDINANCES OF THE CITY OF COLLEGE STATION, TEXAS, BY CHANGING THE ZONING DISTRICT BOUNDARIES AFFECTING CERTAIN PROPERTIES AS DESCRIBED BELOW; 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," Section 4.2, "Official Zoning Map," 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 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 35 of the Charter of the City of College Station.

PASSED, ADOPTED and APPROVED this 28th day of April, 2011

APPROVED:

MAYOR

ATTEST:

City Secretary

APPROVED:

Carla A. Robinson

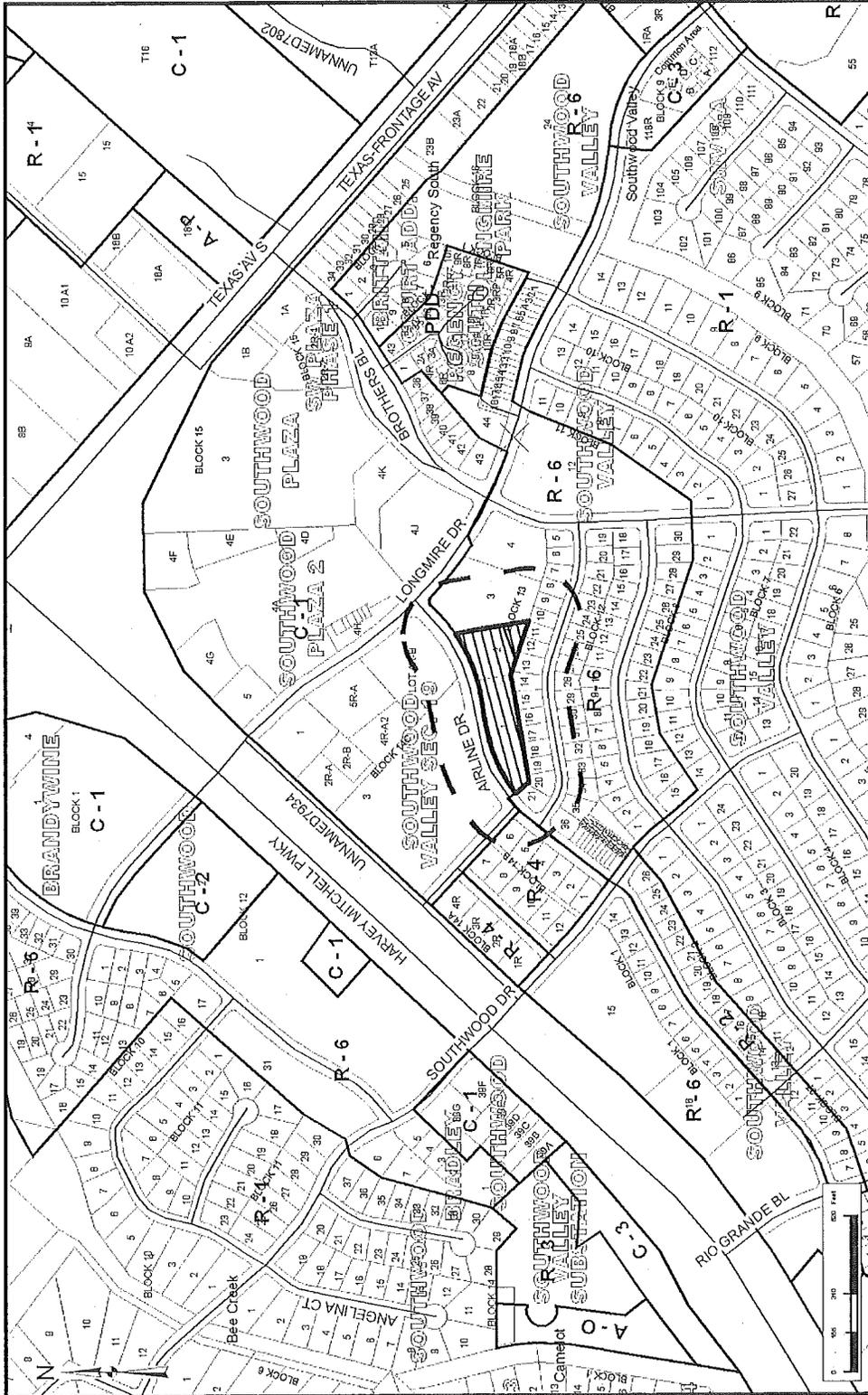
City Attorney

EXHIBIT "A"

That Chapter 12, "Unified Development Ordinance," Section 4.2, "Official Zoning Map," of the Code of Ordinances of the City of College Station, Texas, is hereby amended as follows:

The following property is rezoned from C-1 General Commercial and R-6 High Density Multi-Family to R-6 High Density Multi-Family as described and shown graphically below:

Lots 1 & 2, Block 13, Phase 6B, Southwood Valley Subdivision



Zoning Districts	Development Review	Landmark on	Case:
A-O Agricultural Open		LONGMIRE APARTMENTS	11-043
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			
A-P Administrative/Professional			
C-1 General Commercial			
C-2 Commercial-Industrial			
C-3 Townhouse			
M-1 Multi-Family			
M-2 High Density Multi-Family			
C-U Manufactured Home Park			
R&D Research and Development			
P-MUD Planned Mixed-Use Development			
PDD Planned Development District			
C-3 Light Commercial			
M-1 Light Industrial			
M-2 Heavy Industrial			
C-U College and University			
R&D Research and Development			
P-MUD Planned Mixed-Use Development			
PDD Planned Development District			
R-3 Townhouse			
R-4 Multi-Family			
R-6 High Density Multi-Family			
R-7 Manufactured Home Park			
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 and Development			
P-MUD Planned Mixed-Use Development			
PDD Planned Development District			
WPC Wolf Pen Creek Dev. Corridor			
NG-1 Core Northgate			
NG-2 Residential Northgate			
NG-3 Residential Northgate			
CV Corridor Overlay			
RDD Redevelopment District			
KO Krenek Tap Overlay			



April 28, 2011
Regular Agenda Item No. 8
Rock Prairie Marketplace Rezoning

To: David Neeley, City Manager

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

Agenda Caption: Public Hearing, presentation, possible action, and discussion regarding an amendment to Chapter 12, "Unified Development Ordinance," Section 4.2, "Official Zoning Map" of the Code of Ordinances of the City of College Station, Texas by rezoning Lot 1, Block 1 of the Rock Prairie Marketplace Subdivision, being 9.014 acres located at 2000 Rock Prairie Road, from C-1 General Commercial to PDD Planned Development District.

Relationship to Strategic Goals: Financially Sustainable City Providing Response to Core Services and Infrastructure, Neighborhood Integrity, and Diverse Growing Economy.

Recommendation(s): The Planning and Zoning Commission considered this item at their April 21, 2011 meeting and the recommendation will be presented at the Council meeting. Staff recommended approval of the request.

Summary: The Unified Development Ordinance provides the following review criteria for zoning map amendments:

REVIEW CRITERIA

- 1. Consistency with the Comprehensive Plan:** The Comprehensive Plan designates the property as General Commercial. The General Commercial designation is for concentrations of commercial activities that cater to both nearby residents and to the larger community or region. The uses included in the proposal are those permitted with the current C-1 General Commercial zoning and are consistent with the Comprehensive Plan.
- 2. Compatibility with the present zoning and conforming uses of nearby property and with the character of the neighborhood:** The proposed PDD includes land uses permitted by the current C-1 General Commercial zoning on the property. As such, the proposed zoning is generally compatible with the commercial portions of the Scott & White PDD to the south and east. The property to the north, across Rock Prairie Road is zoned C-1 General Commercial and is developed as the Plazas at Rock Prairie shopping center. The proposed PDD is compatible with the commercial development in the area.
- 3. Suitability of the property affected by the amendment for uses permitted by the district that would be made applicable by the proposed amendment:** The requested PDD includes C-1 General Commercial uses that the Comprehensive Plan anticipates as being suitable for this area over the 20-year Plan horizon. The general suitability of the land for development, including a discussion of the availability of water, wastewater and transportation infrastructure is included in Review Criteria #6. No FEMA floodplain exists on the property.
- 4. Suitability of the property affected by the amendment for uses permitted by the district applicable to the property at the time of the proposed amendment:** The property is zoned C-1 General Commercial. General Commercial is a district that is designed to provide goods and services to the general public and visitors. The uses permitted in this district are generally dependant on good access and visibility. The

property has frontage on Rock Prairie Road and State Highway 6. The property is generally suitable for C-1 uses.

5. **Marketability of the property affected by the amendment for uses permitted by the district applicable to the property at the time of the proposed amendment:** The existing C-1 zoning allows the property to be marketed for general commercial development. A market analysis of the subject property has not been provided to the City; however, the C-1 district permits commercial retail, restaurant, service and office uses, which are consistent with other uses found along the east side of State Highway 6.
6. **Availability of water, wastewater, stormwater, and transportation facilities generally suitable and adequate for the proposed use:** There are existing 18-inch water lines along State Highway 6 south of the property and along Rock Prairie Road. The 18-inch waterline along the State Highway 6 Frontage Road will need to be extended to connect to the 18-inch waterline on Rock Prairie Road with the development of the property, in accordance with the Water Master Plan.

There is an existing 8-inch sanitary sewer line northeast of the property along Rock Prairie Road that is available to serve the site. A sanitary sewer line will need to be extended offsite to connect to this existing sewer line with the development of the property.

The property is surrounded by State Highway 6 and Rock Prairie Road. State Highway 6 is classified on the City's Thoroughfare Plan as Freeway/Expressway and Rock Prairie Road is classified as a 4-Lane Major Arterial in this area, although it is currently constructed to a rural collector standard. Scott & White Drive, a major collector roadway, is planned south of the property.

REVIEW OF CONCEPT PLAN

The Concept Plan provides for general commercial development on the subject property.

Purpose & Intent Statement

The applicant has stated the following purpose of the PDD zoning "to enhance the possibility of bringing a valuable retail and commercial development to the City of College Station, Texas."

Land Use

The PDD proposal includes all land uses permitted in the C-1 General Commercial zoning district.

Access

Driveway locations are limited to those shown on the Concept Plan. The driveway shown to the State Highway 6 South Frontage Road is subject to TxDOT review and approval.

Building Height

The applicant has proposed building heights in the range of 15 to 40 feet.

Base Zoning and Meritorious Modifications

The applicant proposes to utilize C-1 General Commercial as the base, underlying zoning district for standards not identified in the PDD. At the time of site plan and plat, the project will need to meet all applicable site, architectural and platting standards required by the Unified Development Ordinance except where meritorious modifications are granted with the PDD zoning. The applicant has requested the following meritorious modifications:

1. **Section 7.2.I “Number of Off-Street Parking Spaces Required” of the Unified Development Ordinance**
The applicant has proposed an off-street parking requirement of 1 parking space per 250 square feet of space for multi-tenant structures with no limitation on intense uses, and no additional parking required for intense uses. Restaurant parking is proposed at 1 parking space per 100 square feet of area, regardless of whether the use has a drive-thru.
2. **Section 7.9.D.2 “Parking Screening” of the Unified Development Ordinance**
The applicant requested that berms not be required for parking screening and has proposed to screen parking areas with vegetation.
3. **Section 3.5.E.2 “Site Plan Review Criteria” of the Unified Development Ordinance –related to the provision of sidewalks**
The applicant has requested that no sidewalk be required along State Highway 6 Frontage Road. No sidewalk is included with the Scott & White development for sidewalks associated with this property to tie into.
4. **Section 7.3.C.3 “Spacing of Driveway Access” and 7.3.C.4 “Freeway Frontage Road Access and Location Requirements” of the Unified Development Ordinance**
The applicant has proposed two driveways to Scott & White drive and one to Rock Prairie Road. Additionally, the applicant has proposed a driveway from the State Highway 6 Frontage Road, subject only to compliance with TxDOT requirements.
5. **Section 7.4 “Signs” of the Unified Development Ordinance**
The applicant has proposed two freestanding signs for the shopping center in the general locations shown on the Concept Plan; one sign is proposed at the hard corner with a maximum height of 20 feet tall and a maximum area not to exceed 200 square feet, and a second freestanding sign at the southern end of the property, with a maximum height of 30 feet tall and a maximum area not to exceed 300 square feet. Additionally, the applicant has proposed five additional low profile signs along State Highway 6.
6. **Section 8.2.E.3 “Street Projections” and 8.2.G “Blocks” of the Unified Development Ordinance**
The applicant has requested that with any future subdivision of the tract, the plat be exempt from maximum block length requirements and that no Public Way be required to be provided, subject to the provision of internal cross access among the lots/pads on the property.
7. **Section 7.12 “Traffic Impact Analysis” of the Unified Development Ordinance**
The applicant has requested that a Traffic Impact Analysis not be required.

The Unified Development Ordinance provides the following review criteria for PDD Concept Plans:

1. **The proposal will constitute an environment of sustained stability and will be in harmony with the character of the surrounding area:** The land uses permitted will not change and are similar to those permitted on adjacent tracts and in the larger area. The Concept Plan provides for Driveways to Rock Prairie Road and Scott & White Drive. Driveways to the Frontage Road are subject to approval by TxDOT.
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: The Comprehensive Plan describes future development of this tract as General Commercial. The Concept Plan reflects the Community Character and Land Use designation.

- 3. The proposal is compatible with existing or permitted uses on abutting sites and will not adversely affect adjacent development:** The abutting properties are largely vacant, but were recently zoned PDD Planned Development District with the Scott & White proposal. Adjacent property located to the south along State Highway 6 Frontage Road allows for general commercial uses. Adjacent PDD property to the east includes uses similar (though slightly restricted) to General Commercial zoning and includes increased aesthetic requirements. The land uses permitted on the subject property will not change and are similar to those permitted on adjacent tracts and in the larger area.
- 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:** No dwelling units are proposed.
- 5. The development includes provision of adequate public improvements, including, but not limited to, parks, schools, and other public facilities:** None proposed.
- 6. The development will not be detrimental to the public health, safety, welfare, or materially injurious to properties or improvements in the vicinity:** Besides the requested meritorious modifications, the proposed development will meet all City requirements. One of the meritorious modifications requested is to allow development of the property without a Traffic Impact Analysis (TIA). A TIA was prepared for the PDD zoning on the adjacent Scott & White property. Based on information contained in that TIA, Staff is aware that significant transportation deficiencies will exist if this property and the surrounding area is developed prior to upgrades to Rock Prairie Road and the State Highway 6 overpass. Traffic mitigation will be needed in this area and the City should continue progress toward this end.
- 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:** The site will have access to the future Scott & White Drive and Rock Prairie Road. If meeting State requirements and granted by TxDOT, access to the site may also come from State Highway 6. Again, one of the meritorious modifications requested is to allow development of the property without a Traffic Impact Analysis (TIA). Staff is aware that significant transportation deficiencies will exist if this property and the surrounding area is developed prior to upgrades to Rock Prairie Road and the State Highway 6 overpass. Traffic mitigation will be needed in this area and the City should continue progress toward this end.

Budget & Financial Summary: N/A

Attachments:

- 1. Background Information**
- 2. Small Area Map (SAM) & Aerial**
- 3. Ordinance**

BACKGROUND

NOTIFICATIONS

Advertised Commission Hearing Date: April 21, 2011
 Advertised Council Hearing Dates: April 28, 2011

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

Wilshire HOA
 Sandstone HOA
 Foxfire HOA
 Amberlake HOA
 Chadwick HOA
 Stonebridge HOA
 Stonebridge Court HOA

Property owner notices mailed: 15
 Contacts in support: None as of date of staff report
 Contacts in opposition: None as of date of staff report
 Inquiry contacts: None as of date of staff report

ADJACENT LAND USES

Direction	Comprehensive Plan	Zoning	Land Use
North	Suburban Commercial across Rock Prairie Road (Major Arterial)	C-1 General Commercial across Rock Prairie Road (Major Arterial)	Plazas at Rock Prairie shopping center across Rock Prairie Road (Major Arterial)
South	General Commercial	PDD Planned Development District	Vacant
East	Suburban Commercial	PDD Planned Development District	Vacant
West	Freeway	N/A	State Highway 6 South

DEVELOPMENT HISTORY

Annexation: 1977
Zoning: A-O Agricultural Open to C-1 General Commercial (1979 & 1982)
Final Plat: Rock Prairie Marketplace (2008)
Site development: The southern-most end of the property was previously developed with a plumbing service office and associated parking. The site is currently vacant.

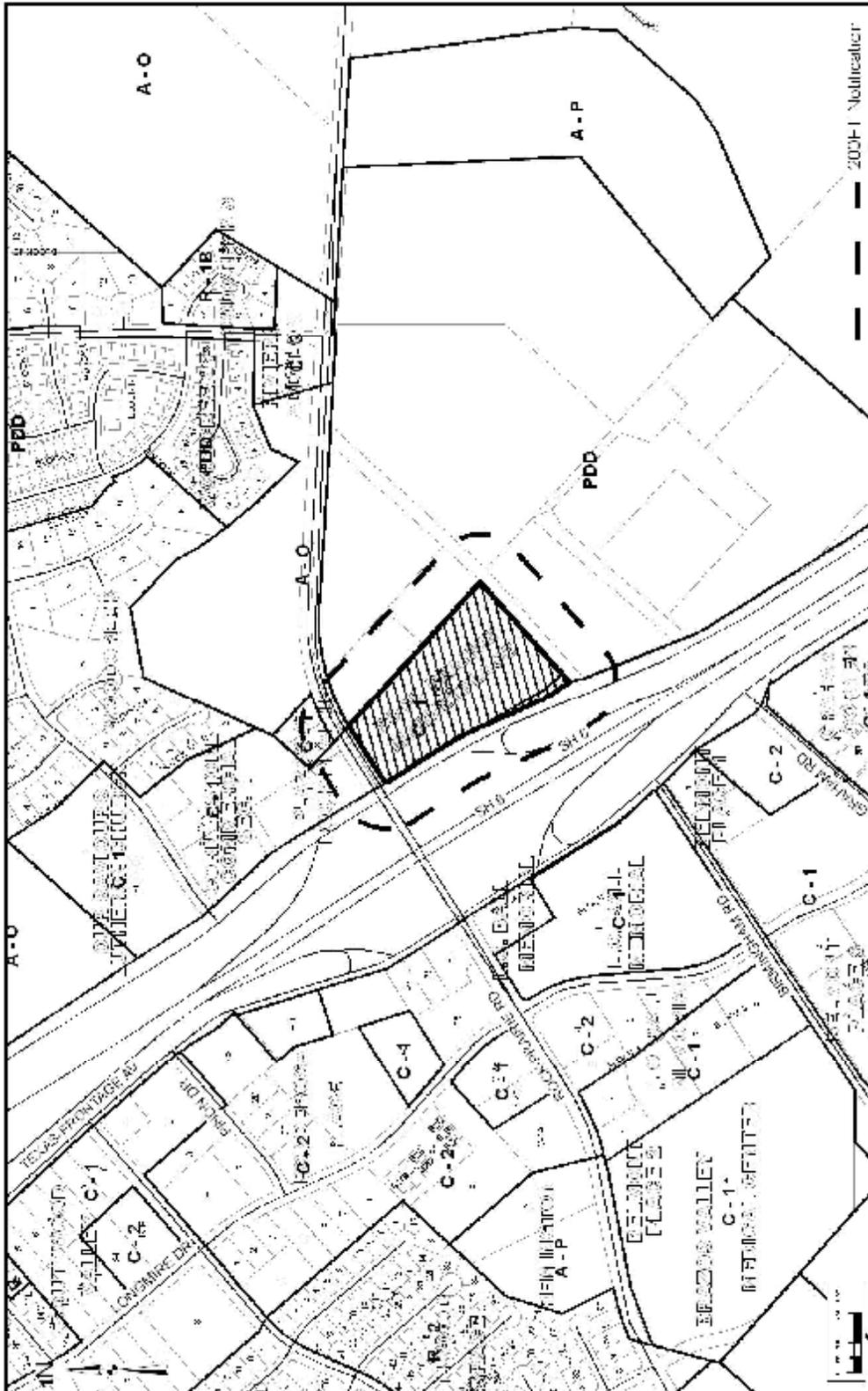


REZONING
Case: 11-055

ROCK PRAIRIE MARKET PLACE

DEVELOPMENT REVIEW





Zoning Districts	2008-I Notification
A - C Agricultural Over	WPC
A-C-1 Residential Medium Density	WC-1
A-C-2 Residential Medium Density	WC-2
A-C-3 Residential Medium Density	WC-3
A-C-4 Residential Medium Density	WC-4
R-1 Single Family Residential	OV
R-2 Duplex Residential	OV
R-3 Townhouse	700
R-4 Multi-Family	60
R-5 High Density Multi-Family	
R-6 Manufactured Home Park	
R-7 Administrative/Professional	
A-P Professional Office	
C-1 General Commercial	
C-2 General Commercial	
C-3 Office	
C-4 Light Commercial	
C-5 Heavy Industrial	
C-6 Heavy Industrial	
C-7 Cul and Unversity	
C-8 Research and Development	
C-9 Planned Village Use Development	
C-10 Planned Development District	
PDD	

DEVELOPMENT REVIEW

REZONING

ROCK PRAIRIE MARKET PLACE

Case: 11-055

11-055

ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 12, "UNIFIED DEVELOPMENT ORDINANCE," SECTION 4.2, "OFFICIAL ZONING MAP," OF THE CODE OF ORDINANCES OF THE CITY OF COLLEGE STATION, TEXAS, BY CHANGING THE ZONING DISTRICT BOUNDARIES AFFECTING CERTAIN PROPERTIES AS DESCRIBED BELOW; 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," Section 4.2, "Official Zoning Map," 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 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 35 of the Charter of the City of College Station.

PASSED, ADOPTED and APPROVED this 28th day of April, 2011

APPROVED:

MAYOR

ATTEST:

City Secretary

APPROVED:

Caia A Robinson

City Attorney

EXHIBIT "A"

That Chapter 12, "Unified Development Ordinance," Section 4.2, "Official Zoning Map," of the Code of Ordinances of the City of College Station, Texas, is hereby amended as follows:

The following property is rezoned from C-1 General Commercial to PDD Planned Development District, with the restrictions listed in Exhibit "B" and in accordance with the Concept Plan shown in Exhibit "C" and as shown graphically in Exhibit "D," and with the standards contained in Exhibit "E":

Lot 1, Block 1, Rock Prairie Marketplace Subdivision

EXHIBIT "B"

The Concept Plan provides for general commercial development on the subject property.

Purpose & Intent Statement

The applicant has stated the following purpose of the PDD zoning "to enhance the possibility of bringing a valuable retail and commercial development to the City of College Station, Texas."

Land Use

The PDD proposal includes all land uses permitted in the C-1 General Commercial zoning district.

Access

Driveway locations are limited to those shown on the Concept Plan. The driveway shown to the State Highway 6 South Frontage Road is subject to TxDOT review and approval.

Building Height

The applicant has proposed building heights in the range of 15 to 40 feet.

Base Zoning and Meritorious Modifications

C-1 General Commercial is the base, underlying zoning district for standards not identified in the PDD. At the time of site plan and plat, the project will need to meet all applicable site, architectural and platting standards required by the Unified Development Ordinance except where meritorious modifications were granted with the PDD zoning or the attached "Rider". The following meritorious modifications were granted:

1. Section 7.2.I "Number of Off-Street Parking Spaces Required" of the Unified Development Ordinance

Off-street parking requirement of 1 parking space per 250 square feet of space for multi-tenant structures with no limitation on intense uses, and no additional parking required for intense uses. Restaurant parking is 1 parking space per 100 square feet of area, regardless of whether the use has a drive-thru.

2. Section 7.9.D.2 "Parking Screening" of the Unified Development Ordinance

Berms are not be required for parking screening. Vegetation will be used for screening.

3. Section 3.5.E.2 "Site Plan Review Criteria" of the Unified Development Ordinance –related to the provision of sidewalks

A sidewalk is not required along State Highway 6 Frontage Road.

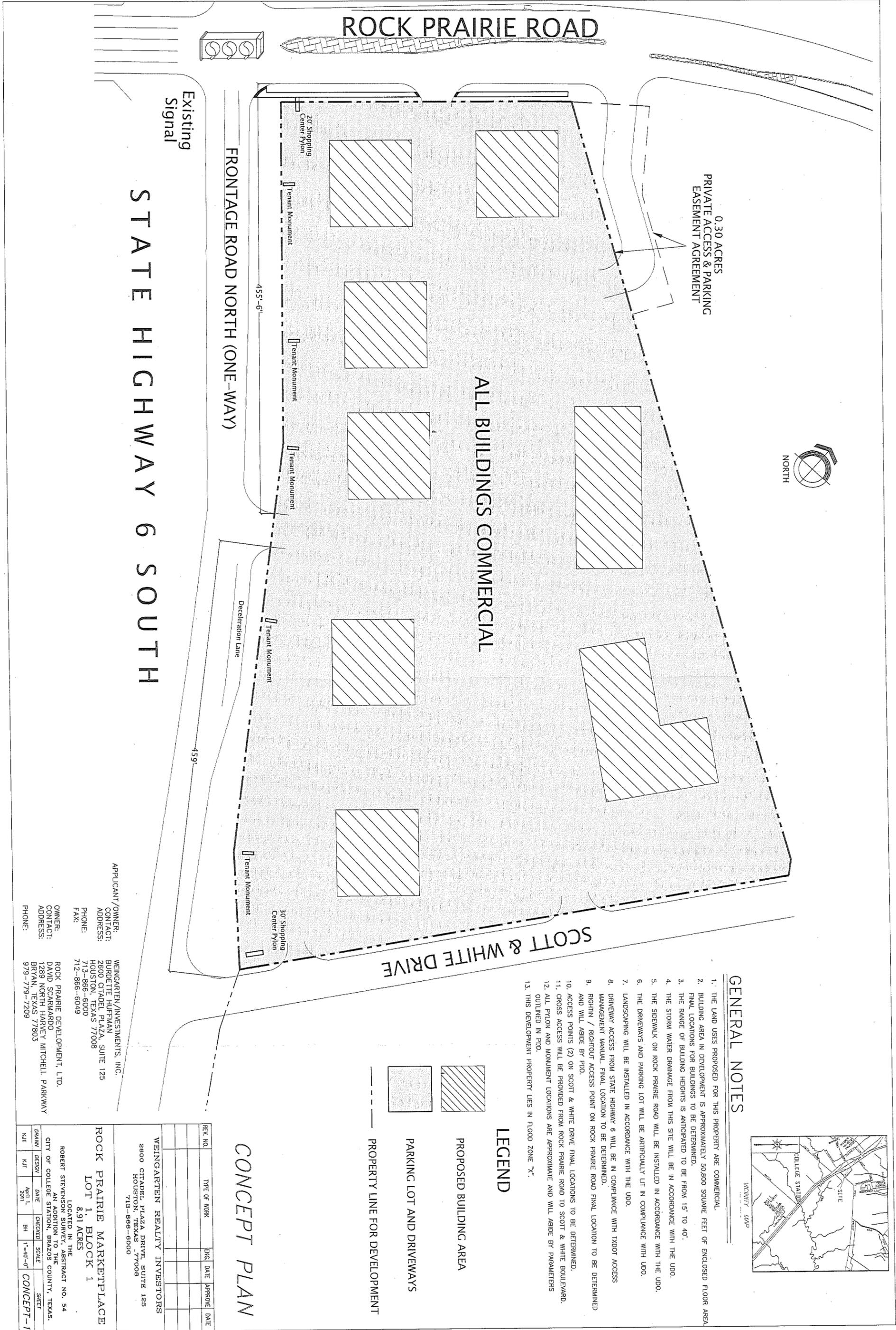
4. Section 7.3.C.3 "Spacing of Driveway Access" and 7.3.C.4 "Freeway Frontage Road Access and Location Requirements" of the Unified Development Ordinance

The driveways are as depicted on the attached concept plan - two driveways to Scott & White drive and one to Rock Prairie Road. Additionally, the applicant has proposed a driveway from the State Highway 6 Frontage Road, subject only to compliance with TxDOT requirements.

5. Section 7.4 "Signs" of the Unified Development Ordinance

Two freestanding signs for the shopping center in the general locations shown on the Concept Plan; one sign at the hard corner with a maximum height of 20 feet tall and a maximum area not to exceed 200 square feet, and a second freestanding sign at the southern end of the property, with a maximum height of 30 feet tall and a maximum area not to exceed 300 square feet. Additionally, five additional low profile signs are permitted with the pads along State Highway 6.

6. **Section 8.2.E.3 “Street Projections” and 8.2.G “Blocks” of the Unified Development Ordinance**
Any future subdivision plat is exempt from maximum block length requirements and no Public Way is required to be provided, subject to the provision of internal cross access among the lots/pads on the property.
7. **Section 7.12 “Traffic Impact Analysis” of the Unified Development Ordinance**
A Traffic Impact Analysis not required.



STATE HIGHWAY 6 SOUTH

Existing Signal

FRONTAGE ROAD NORTH (ONE-WAY)

ROCK PRAIRIE ROAD

SCOTT & WHITE DRIVE

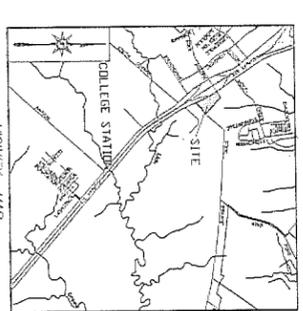
0.30 ACRES
PRIVATE ACCESS & PARKING
EASEMENT AGREEMENT

ALL BUILDINGS COMMERCIAL



GENERAL NOTES

1. THE LAND USES PROPOSED FOR THIS PROPERTY ARE COMMERCIAL.
2. BUILDING AREA IN DEVELOPMENT IS APPROXIMATELY 50,800 SQUARE FEET OF ENCLOSED FLOOR AREA.
3. FINAL LOCATIONS FOR BUILDINGS TO BE DETERMINED.
4. THE RANGE OF BUILDING HEIGHTS IS ANTICIPATED TO BE FROM 15' TO 40'.
5. THE STORM WATER DRAINAGE FROM THIS SITE WILL BE IN ACCORDANCE WITH THE UDO.
6. THE SIDEWALK ON ROCK PRAIRIE ROAD WILL BE INSTALLED IN ACCORDANCE WITH THE UDO.
7. THE DRIVEWAYS AND PARKING LOT WILL BE ARTIFICIALLY LIT IN COMPLIANCE WITH UDO.
8. LANDSCAPING WILL BE INSTALLED IN ACCORDANCE WITH THE UDO.
9. DRIVEWAY ACCESS FROM STATE HIGHWAY 6 WILL BE IN COMPLIANCE WITH 1100T ACCESS MANAGEMENT MANUAL. FINAL LOCATION TO BE DETERMINED.
10. RIGHTIN / RIGHTOUT ACCESS POINT ON ROCK PRAIRIE ROAD FINAL LOCATION TO BE DETERMINED AND WILL ABIDE BY PDD.
11. ACCESS POINTS (2) ON SCOTT & WHITE DRIVE FINAL LOCATIONS TO BE DETERMINED.
12. CROSS ACCESS WILL BE PROVIDED FROM ROCK PRAIRIE ROAD TO SCOTT & WHITE BOULEVARD.
13. ALL Pylon AND MONUMENT LOCATIONS ARE APPROXIMATE AND WILL ABIDE BY PARAMETERS OUTLINED IN PDD.
14. THIS DEVELOPMENT PROPERTY LIES IN FLOOD ZONE "X".



LEGEND

- PROPOSED BUILDING AREA
- PARKING LOT AND DRIVEWAYS
- PROPERTY LINE FOR DEVELOPMENT

CONCEPT PLAN

REV. NO.	TYPE OF WORK	ENG. DATE	APPROVE DATE

WEINGARTEN REALTY INVESTORS
2600 CITADEL PLAZA DRIVE, SUITE 126
HOUSTON, TEXAS 77008
713-866-6000

ROCK PRAIRIE MARKETPLACE
LOT 1, BLOCK 1
8.91 ACRES

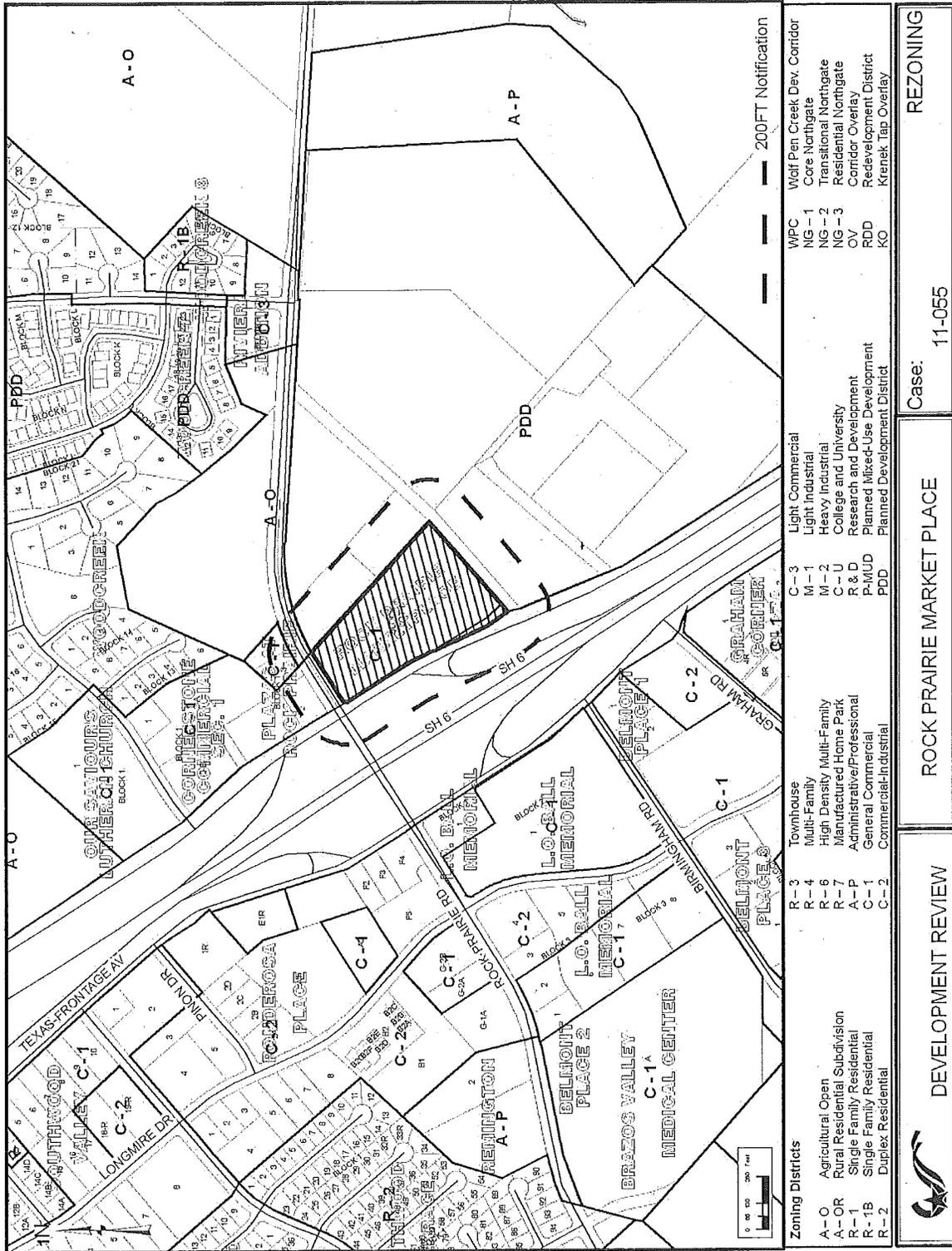
LOCATED IN THE
ROBERT STEVENSON SURVEY, ABSTRACT NO. 54
AN ADDITION TO THE
CITY OF COLLEGE STATION, BRAZOS COUNTY, TEXAS.

DRWN	DESIGN	DATE	CHECKED	SCALE	SHEET
KJT	KJT	ASST 1, 2011	BH	1"=40'-0"	CONCEPT-1

APPLICANT/OWNER:
WEINGARTEN/INVESTMENTS, INC.
CONTACT: BURDETTE HUFFMAN
ADDRESS: 2600 CITADEL PLAZA, SUITE 125
HOUSTON, TEXAS 77008
PHONE: 713-866-6000
FAX: 712-866-6049

OWNER:
ROCK PRAIRIE DEVELOPMENT, LTD.
CONTACT: DAVID SCARMARCO
ADDRESS: 1289 NORTH HARVEY MITCHELL PARKWAY
BRYAN, TEXAS 77805
PHONE: 979-799-1209

EXHIBIT "D"



REZONING
Case: 11-055

ROCK PRAIRIE MARKET PLACE

DEVELOPMENT REVIEW

EXHIBIT "E"

RIDER TO APPLICATION

1. The Rezoning Application Fee and the Traffic Impact Analysis have been waived by the City of College Station. In addition, the City of College Station has waived all development fees (including, without limitation, impact fees) associated with the development up to \$30,000.

2. Approximately 8.026 acres of the Property are leased by WRI from Rock Prairie Development, Ltd. pursuant to a long term ground lease; and approximately the .9877 acres (the remainder) of the Property are owned in fee by WRI.

WRI, as both ground lessee and owner is the Owner/Applicant for purposes of this Application. Furthermore, a consent letter is attached to the application signed by David Scarmardo, President of Rock Prairie Realty Group, LLC which is the general partner of Rock Prairie Development, Ltd.

3. Deed Information:

WRI Leased (Scarmardo) Tract – The property was conveyed to owner by deed recorded in Volume 4121, Page 70 of the Brazos County Official Records.

WRI Fee Tract- Deed dated February 14, 2007, recorded in Volume 7819, Page 266 of the Brazos County Official Records.

4. Proposed Use of Property: Uses may include, without limitation: gas station/convenience store; restaurants with drive through; branch bank with drive through; retail strip center and/or all other permitted uses in C-1 zoning.

5. Meritorious Modifications Mutually Agreed Upon by the City of College Station and Weingarten Realty.

A. Approval of the PDD and subsequent development of the Remainder Tract shall not require any off-site improvements save and except the off-site construction of reasonably required deceleration, acceleration and turn lanes at the ingress/egress points to/from the Remainder Tract.

B. Subdivision and development of the Remainder Tract shall only require (i) a 25-foot wide building setback and landscaped buffer with a sidewalk without any screening wall or berm along the Remainder Tract's property line with Rock Prairie Road, and (ii) a 25-foot wide building setback and landscaped buffer without any sidewalk, screening wall or berm along the Remainder Tract's property line with SH-6. Such buffers shall be in lieu of any building setbacks and green space requirements which CCS would otherwise require, and utility

easements, signage, parking and other infrastructure may be located within these buffers. Landscaping in said buffers shall otherwise comply with CCS's landscape requirements.

- C. Subdivision and Development of the Remainder Tract shall require off-street parking as stated in the UDO except as follows: (i) the off-street parking requirements for retail uses shall be equal to one (1) parking space per 250 square feet of space; (ii) the off-street parking requirements for restaurant uses shall be equal to one (1) parking space per 100 square feet of space regardless of whether such restaurant(s) includes a drive-through. Further, CCS shall waive the prohibition under the UDO that no more than 25% of any shopping center square footage be used for intense uses, and CCS shall waive the requirement related thereto that additional parking be provided related to such intense uses.
- D. The Remainder Tract shall be granted two (2) access points onto Scott & White Drive (f/k/a Old Rock Prairie Road). Further, CCS will not object to WRI's request for two (2) access points along SH-6 subject only to compliance with State law.
- E. The Remainder Tract shall be granted one (1) full access point (ingress, egress, left turn, and right turn) onto/from Rock Prairie Road, approximately in the location shown on the Concept Plan, by way of the off-site platted easement located along the northeast boundary of the Remainder Tract terminating onto Rock Prairie Road, and running across the southwestern portion of Tract 2 of the S&W property (contiguous with the Remainder Tract). Further, subject only to State law, CCS shall not oppose WRI's request for a right in/right out driveway at a location on Rock Prairie Road no closer than 150 feet northeast of the intersection with SH-6.
- F. Signs associated with the development of the Remainder Tract shall comply with the UDO except that it shall be allowed a total of two (2) Freestanding Commercial Signs for the shopping center portion of the development as approximately shown on the Concept Plan, which shall be located and sized as follows: (i) Sign 1 shall be located at or near the corner of SH-6 and Rock Prairie Road (20 feet tall; signage space not to exceed 200 square feet), and (ii) Sign 2 shall be located on the southern portion of the Remainder Tract's frontage on SH-6 (30 feet tall; signage space not to exceed 300 square feet). Further, the Remainder Tract shall be granted five (5) additional low profile Commercial Signs to be located along SH-6. All signs described in this paragraph may be located within the 25-foot setback.
- G. There shall be no requirement to construct or otherwise guarantee the construction of a multi-use path or sidewalk along SH-6.

H. The subdivision of the Remainder Tract and its development shall be exempt from the requirements of the UDO, related to maximum block length together with any requirement that a Public Way be provided subject to the provision of internal cross access among the lots/pads on the Remainder Tract.

April 28, 2011
Regular Agenda Item No. 9
UDO Amendment for Corridor Overlay Signage Requirements

To: David Neely, City Manager

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

Agenda Caption: Public Hearing, presentation, possible action, and discussion on an ordinance amendment to Chapter 12 "Unified Development Ordinance," Section 5.8.A(2) "Corridor Overlay District, Signs" specifically related to sign requirements.

Relationship to Strategic Goals: Goal III. Diverse Growing Economy – Promote business-friendly attitude

Recommendation(s): At their meeting on April 7, 2011, the Planning and Zoning Commission voted 5-0 to recommend approval of the amendment. Staff recommended approval of the Ordinance amendment.

Summary: Section 5.8.A "Corridor Overlay District" of the Unified Development Ordinance (UDO) currently outlines the standards for development within the City's Corridor Overlay. Originally adopted in 1991, these standards were implemented as part of the City's University Drive Corridor Study. The sign requirements developed at the time were to ensure harmonious signage that promoted an attractive University Drive as a primary gateway into the community. Since the development of these standards, the City has enacted a more comprehensive sign ordinance (2003) and non-residential architectural standards making the Corridor Overlay District sign requirements less necessary to maintain the visual appeal of the corridor.

This amendment will remove sign font and color limitations for signs in the overlay, except for colors expressly prohibited by the City of College Station Color Palette. Currently, the standard allows only two fonts and three colors be used on a sign.

The amendment will continue to maintain the height requirement that restricts the maximum height of a sign in the overlay to the height of the adjacent building to keep with the intent of the original ordinance of maintaining a sense of openness and continuity along major gateway corridors and entry points into the City.

Budget & Financial Summary: N/A

Attachments:

1. Draft Planning & Zoning Commission Regular Meeting Minutes
2. Ordinance



MINUTES
PLANNING & ZONING COMMISSION
Regular Meeting
April 7, 2011, 7:00 p.m.
City Hall Council Chambers
1101 Texas Avenue
College Station, Texas

COMMISSIONERS PRESENT: Chairman Scott Shafer, Mike Ashfield, Jodi Warner, Hugh Stearns, and Bo Miles

COMMISSIONERS ABSENT: Doug Slack and Craig Hall

CITY COUNCIL MEMBERS PRESENT: None

CITY STAFF PRESENT: Jennifer Prochazka, Jason Schubert, Matt Robinson, Matthew Hilgemeier, Joe Guerra, Carol Cotter, Molly Hitchcock, Lance Simms, Bob Cowell, Carla Robinson, Carrie McHugh, Deborah Grace-Rosier, and Brittany Caldwell

1. Call meeting to order.

Chairman Shafer called the meeting to order at 7:05 p.m.

Regular Agenda

9. Public hearing, presentation, possible action, and discussion regarding an amendment to the Unified Development Ordinance, Section 5.8.A.(2) "Corridor Overlay Districts, Signs." Case # 11-00500027 (MKH) (Note: Final action on this item is scheduled for the April 28, 2011 City Council Meeting--subject to change)

Staff Planner Hilgemeier presented the amendment to the Unified Development Ordinance regarding Corridor Overlay District sign requirements.

There was general discussion amongst the Commission regarding the amendment.

Chairman Shafer opened the public hearing.

Robert Rose, 505 University Drive, College Station, Texas, stated that it is good that the City is trying to make the process easier.

Chairman Shafer closed the public hearing.

Commissioner Stearns motioned to recommend approval of the amendment. Commissioner Ashfield seconded the motion, motion passed (5-0).

12. Adjourn.

Commissioner Warner motioned to adjourn the meeting. Commissioner Stearns seconded the motion, motion passed (5-0).

The meeting adjourned at 8:25 p.m.

Article 5. District Purpose Statements and Supplemental Standards

Section 5.7 Design District Dimensional Standards

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) Minimum/maximum setback from the back of any curb, including lots with single frontage, lots with double frontage, and corner lots with multiple frontages.
- (C) If the width of any public easement or right-of-way is in excess of the maximum setback, the maximum setback will be measured from the edge of the public easement or right-of-way.
- (D) Maximum setback from back of curb for University Drive is 25 feet, Wellborn is 35 feet and 100 feet for South College.
- (E) When café seating is between the café's building and a right-of-way, the building may be setback a maximum of 35 feet.
- (F) This area calculation shall not include any lot area encumbered by required easements, setbacks, sidewalks, detention, or area dedicated to civic features. The area of a porch or arcade fronting a public street is included in the calculation of lot coverage.
- (G) The 2-story requirement shall not apply to structures existing on or before April 2, 2006.
- (H) Minimum front setback may be reduced to fifteen feet (15') when approved rear access is provided or when side yard or rear yard parking is provided.

5.7 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.~~ Signs shall utilize only colors not expressly prohibited by the City of College Station Unified Development Ordinance.

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

ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 12, "UNIFIED DEVELOPMENT ORDINANCE," SECTION 7.9.B.2, "BUILDING MASS AND DESIGN," OF THE CODE OF ORDINANCES OF THE CITY OF COLLEGE STATION, TEXAS, BY AMENDING THE SECTION 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," Section 7.9.B.2, "Building Mass and Design," 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 35 of the Charter of the City of College Station.

PASSED, ADOPTED and APPROVED this 28th day of April, 2011.

APPROVED:

MAYOR

ATTEST:

City Secretary

APPROVED:

Carla A Robinson

City Attorney

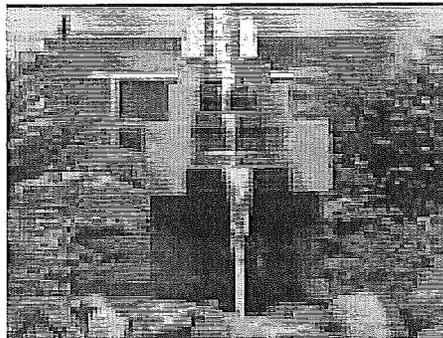
EXHIBIT "A"

That Chapter 12, "Unified Development Ordinance," Section 7.9.B.2, "Building Mass and Design," of the Code of Ordinances of the City of College Station, Texas, is hereby amended to read as follows:

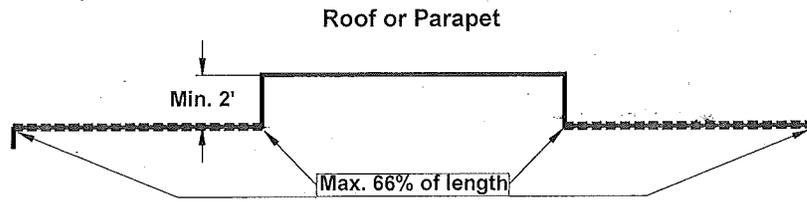
2. Building Mass and Design

"In order to provide visual interest, the first two (2) stories of any façade facing a public right-of-way shall use architectural relief every forty-five horizontal feet (45') by incorporating a minimum of two (2) different design elements within each forty-five foot (45') section from the options below. All other façades shall incorporate a minimum of two (2) different design elements within each sixty-foot (60') section as described above. Wall sections less than forty-five feet (45') or sixty feet (60') respectively, shall also be required to provide the two (2) different design elements, except that freestanding structures that are accessory to a primary use, where each façade is equal to or less than twenty-five horizontal feet (25') in width, and where each façade incorporates the same building materials and colors as the primary structure, are not required to provide architectural relief elements.

- a. Canopies, permanent decorative awnings, or windows accompanied by overhangs;
- b. Wall plane projections or recessions with a minimum of four foot (4') depth;
- c. Pilasters or columns;
- d. Recessed entries, stoops, porches, or arcades;
- e. Balconies that extend from the building; or
- f. Boxed or bay windows;
- g. Decorative stormwater management initiatives physically integrated with the building, as approved by the Administrator. An example is shown below.



Picture used with permission from the City of Portland, Environmental Services (2008)



As represented above, on buildings three (3) stories or less, the horizontal line of a flat roof (or parapet) along any façade facing a public right-of-way shall vary by a minimum of two feet (2') feet up or down so that no more than sixty-six percent (66%) of the roofline is on the same elevation."

April 28, 2011
Regular Agenda Item No. 10
UDO Amendment to the Non-Residential Architecture Standards
for Non-Residential Accessory Structures

To: David Neeley, City Manager

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

Agenda Caption: Public Hearing, presentation, possible action, and discussion on an ordinance amendment to Chapter 12 "Unified Development Ordinance," Section 7.9.B.2 "Building Mass and Design," of the College Station Code of Ordinances, specifically related to architecture standards for non-residential accessory structures.

Recommendation(s): The Planning and Zoning Commission considered this item at their April 7, 2011 meeting and voted 5-0 to recommend approval. Staff also recommended approval of the request.

Summary: At the January 11, 2011 Council meeting, Staff was given direction to pursue various amendments to the Unified Development Ordinance (UDO) that was identified by a subcommittee of the Mayor's Forum on Development. This item is being brought forward in connection with this effort.

UDO Section 7.9.B "Standards for All Non-Residential Structures" currently provides the base standards for non-residential buildings subject to the City's Non-Residential Architecture Standards which were originally adopted in 2004. The application of architectural relief design elements on smaller, accessory buildings often does not have the effect of promoting good design, and can be burdensome when compared to the benefit. The existing ordinance provides a list of qualifying architectural design elements and requires that two different elements be used for every 45-foot section of a façade facing a public right-of-way and two different elements for every 60-foot section of all other façades.

This amendment proposes to remove the requirement for architectural design elements for freestanding structures if they are accessory to a primary use, if each façade is twenty-five feet (25') or less in width and the façades incorporates the same materials and colors of the primary structure.

Budget & Financial Summary: N/A

Attachments:

1. Draft Planning & Zoning Commission Minutes – April 7, 2011
2. Red-lined version of UDO Section 7.9.B.2 "Building Mass and Design"
3. Ordinance



**DRAFT MINUTES
PLANNING & ZONING COMMISSION
Regular Meeting
April 7, 2011, 7:00 p.m.
City Hall Council Chambers
1101 Texas Avenue
College Station, Texas**

COMMISSIONERS PRESENT: Chairman Scott Shafer, Mike Ashfield, Jodi Warner, Hugh Stearns, and Bo Miles

COMMISSIONERS ABSENT: Doug Slack and Craig Hall

CITY COUNCIL MEMBERS PRESENT: None

CITY STAFF PRESENT: Jennifer Prochazka, Jason Schubert, Matt Robinson, Matthew Hilgemeier, Joe Guerra, Carol Cotter, Molly Hitchcock, Lance Simms, Bob Cowell, Carla Robinson, Carrie McHugh, Deborah Grace-Rosier, and Brittany Caldwell

1. Call meeting to order.

Chairman Shafer called the meeting to order at 7:05 p.m.

Regular Agenda

10. Public hearing, presentation, possible action, and discussion regarding an amendment to the Unified Development Ordinance, Section 7.9.B "Standards for All Non-Residential Structures" related to architecture standards for non-residential accessory structures. **Case # 11-00500049 (JS) (Note: Final action on this item is scheduled for the April 28, 2011 City Council Meeting--subject to change)**

Senior Planner Jason Schubert presented the amendment to the Unified Development Ordinance regarding architecture standards for non-residential accessory structures.

There was general discussion amongst the Commission regarding the amendment.

Chairman Shafer opened the public hearing.

No one spoke during the public hearing.

Chairman Shafer closed the public hearing.

Commissioner Ashfield requested that the wording in the proposed amendment be changed to read "where each façade is equal to or less" rather than "where all facades are equal to or less".

Commissioner Stearns motioned to recommend approval of the amendment with the condition that the changes to the wording be made that Commissioner Ashfield requested. Commissioner Miles seconded the motion, motion passed (5-0).

12. Adjourn.

Commissioner Warner motioned to adjourn the meeting. Commissioner Stearns seconded the motion, motion passed (5-0).

The meeting adjourned at 8:25 p.m.

7.9 Non-Residential Architectural Standards

B. Standards for All Non-Residential Structures

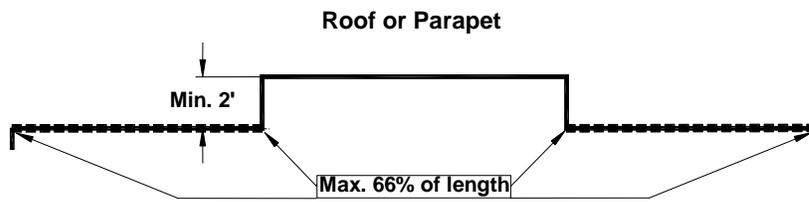
2. Building Mass and Design

In order to provide visual interest, the first two (2) stories of any façade facing a public right-of-way shall use architectural relief every forty-five horizontal feet (45') by incorporating a minimum of two (2) different design elements within each forty-five foot (45') section from the options below. All other façades shall incorporate a minimum of two (2) different design elements within each sixty-foot (60') section as described above. Wall sections less than forty-five feet (45') or sixty feet (60') respectively, shall also be required to provide the two (2) different design elements, except that freestanding structures that are accessory to a primary use, where each façade is equal to or less than twenty-five horizontal feet (25') in width, and where each façade incorporates the same building materials and colors as the primary structure, are not required to provide architectural relief elements.

- a. Canopies, permanent decorative awnings, or windows accompanied by overhangs;
- b. Wall plane projections or recessions with a minimum of four foot (4') depth;
- c. Pilasters or columns;
- d. Recessed entries, stoops, porches, or arcades;
- e. Balconies that extend from the building;
- f. Boxed or bay windows;
- g. Decorative stormwater management initiatives physically integrated with the building, as approved by the Administrator. An example is shown below.



Picture used with permission from the City of Portland, Environmental Services (2008)



As represented above, on buildings three (3) stories or less, the horizontal line of a flat roof (or parapet) along any façade facing a public right-of-way shall vary by a minimum of two feet (2') feet up or down so that no more than sixty-six percent (66%) of the roofline is on the same elevation.

ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 12, "UNIFIED DEVELOPMENT ORDINANCE," SECTION 7.9.B.2, "BUILDING MASS AND DESIGN," OF THE CODE OF ORDINANCES OF THE CITY OF COLLEGE STATION, TEXAS, BY AMENDING THE SECTION 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," Section 7.9.B.2, "Building Mass and Design," 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 35 of the Charter of the City of College Station.

PASSED, ADOPTED and APPROVED this 28th day of April, 2011.

APPROVED:

MAYOR

ATTEST:

City Secretary

APPROVED:

Carla A Robinson

City Attorney

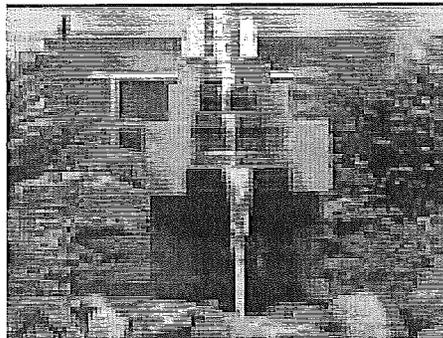
EXHIBIT "A"

That Chapter 12, "Unified Development Ordinance," Section 7.9.B.2, "Building Mass and Design," of the Code of Ordinances of the City of College Station, Texas, is hereby amended to read as follows:

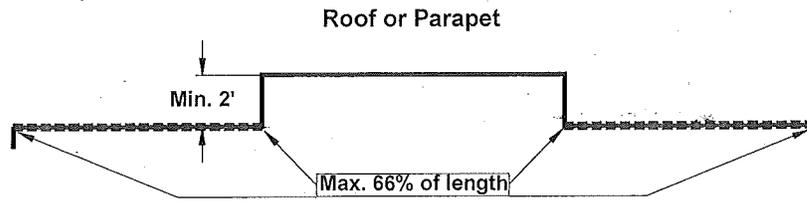
2. Building Mass and Design

"In order to provide visual interest, the first two (2) stories of any façade facing a public right-of-way shall use architectural relief every forty-five horizontal feet (45') by incorporating a minimum of two (2) different design elements within each forty-five foot (45') section from the options below. All other façades shall incorporate a minimum of two (2) different design elements within each sixty-foot (60') section as described above. Wall sections less than forty-five feet (45') or sixty feet (60') respectively, shall also be required to provide the two (2) different design elements, except that freestanding structures that are accessory to a primary use, where each façade is equal to or less than twenty-five horizontal feet (25') in width, and where each façade incorporates the same building materials and colors as the primary structure, are not required to provide architectural relief elements.

- a. Canopies, permanent decorative awnings, or windows accompanied by overhangs;
- b. Wall plane projections or recessions with a minimum of four foot (4') depth;
- c. Pilasters or columns;
- d. Recessed entries, stoops, porches, or arcades;
- e. Balconies that extend from the building; or
- f. Boxed or bay windows;
- g. Decorative stormwater management initiatives physically integrated with the building, as approved by the Administrator. An example is shown below.



Picture used with permission from the City of Portland, Environmental Services (2008)



As represented above, on buildings three (3) stories or less, the horizontal line of a flat roof (or parapet) along any façade facing a public right-of-way shall vary by a minimum of two feet (2') feet up or down so that no more than sixty-six percent (66%) of the roofline is on the same elevation."