



College Station, TX

City Hall
1101 Texas Ave
College Station, TX 77840

Meeting Agenda - Final

City Council Regular

Thursday, April 9, 2015

7:00 PM

City Hall Council Chambers

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

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

At the discretion of the Mayor, individuals may be allowed to speak on a Consent Agenda Item. Individuals who wish to address the City Council on a consent 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.

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.

- 2a. [15-0177](#) Presentation, possible action, and discussion of minutes for:
- March 26, 2015 Workshop
 - March 26, 2015 Regular Council Meeting

Sponsors: Mashburn

Attachments: [WKSHPO32615 DRAFT Minutes.docx](#)
[RM032615 DRAFT Minutes.docx](#)

- 2b. [15-0152](#) Presentation, possible action, and discussion on a resolution supporting Brazos County's application to the Secretary of State to establish Election Day county-wide polling places, or Vote Centers, in lieu of individual precinct polling places for all future elections.

Sponsors: Mashburn

Attachments: [Res Vote Centers.docx](#)

- 2c. [15-0161](#) Presentation, possible action, and discussion regarding an annual

price agreement with Daco Fire Equipment, in the amount of \$60,200.40 for protective clothing.

Sponsors: Hurt

Attachments: [Daco Fire gear 4-15.pdf](#)

- 2d. [15-0164](#) Presentation, possible action, and discussion regarding approval of an Amendment to Resolution No. 1-22-15-2c, determining public need and necessity for the City to initiate, complete, and acquire certain property located at the northwest corner of the intersection of West OSR and Sandy Point Road, Bryan, Brazos County, Texas, for the purpose of the Well Field Collection System Loop Project, by adding additional property descriptions to the Resolution.

Sponsors: Harmon

Attachments: [Well Field Collection Project - Updated Location Map.pdf](#)
[Amended Needs Resolution 4-1-2015.docx](#)

- 2e. [15-0178](#) Presentation, possible action, and discussion on a bid award for the annual purchase of wire and cable, which will be maintained in electrical inventory and expended as needed. The total recommended award is \$659,700.00 to Techline, Inc.

Sponsors: Kersten

Attachments: [Tabulation 15-030.pdf](#)

Regular Agenda

At the discretion of the Mayor, individuals may be allowed to speak on a Regular Agenda Item. 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. Registration forms are available in the lobby and at the desk of the City Secretary.

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. [15-0158](#) Public Hearing, presentation, possible action, and discussion approving an ordinance vacating and abandoning a 3,912 square foot portion of the 1.08 Acres Public Utility Easement located in Southwood Section 5, Tract 1 according to the plat recorded in Volume 284, Page 516 of the Deed Records of Brazos County, Texas.

Sponsors:

Cotter

Attachments:

[Vicinity Map.pdf](#)

[Location Map.pdf](#)

[Ordinance Exhibit A.pdf](#)

[Abandonment Ordinance.doc](#)

2. [15-0166](#) Public Hearing, presentation, possible action, and discussion regarding an ordinance amending Chapter 12, "Unified Development Ordinance," Section 12-4.2, "Official Zoning Map," of the Code of Ordinances of the City of College Station, Texas by changing the zoning district boundaries from GS General Suburban to GC General Commercial and NAP Natural Areas Protected for approximately 16 acres being the property situated in the Morgan Rector League Abstract Number 46, College Station Brazos County, Texas, being 0.248 and 1.237 acre tracts being portions of the remainder of a called 38.65-acre tract as described by a deed to Clint Albert Bertrand and Ruth Marie Porter Bertrand recorded in Volume 9862, Page 136 of the Official Public Records of Brazos County, Texas, a 3.922-acre portion of the remainder of a called 10.40-acre tract as described by a deed to Dan Clancy and Susan Clancy recorded in Volume 467, Page 314 of the Deed Records of Brazos County, Texas, a 4.799-acre being all of a called 4.802 acre tract as described by a deed to L.A. Ford, Jr. recorded in Volume 2532, Page 271 of the Official Public Records of Brazos County, Texas, and a 5.997-acre portion of the remainder of a called 10.40 acre tract as described by a deed to Dan Clancy and Susan Clancy recorded in Volume 467, Page 314 of the Deed Records of Brazos County, Texas, generally located at 8500 Earl Rudder Freeway South, more generally located at the northwest intersection of Harvey Mitchell Parkway South and Earl Rudder Freeway South.

Sponsors:

Bullock

Attachments: [Background](#)
[Aerial and Small Area Map](#)
[Ordinance.docx](#)

3. [15-0167](#) Public Hearing, presentation, possible action, and discussion regarding an ordinance amending Chapter 12, "Unified Development Ordinance", Section 12-3.16, "Development Review Procedures, Conditional Use Permit", of the Code of Ordinances of the City of College Station, Texas, by allowing a conditional use permit for the use of a major wireless telecommunications facility affecting approximately 0.0148 acres at Southwest Place, Block 1, Lot 2a-1b, generally located at 2504 Texas Avenue South, more generally located near the southwest corner of Texas Avenue South and Southwest Parkway.

Sponsors: Bombek

Attachments: [Background](#)
[Sams and Aerials](#)
[Ordinance CUP 3-27-15.docx](#)

4. [15-0169](#) Public Hearing, presentation, possible action, and discussion regarding an ordinance amending Chapter 12, "Unified Development Ordinance," Section 12-4.2, "Official Zoning Map," of the Code of Ordinances of the City of College Station, Texas by amending the PDD Planned Development District for the property being situated in the Crawford Burnett League, Abstract No. 7, College Station, Brazos County, Texas being a 24.523 acre tract being a portion of the remainder of a called 120.76 acre tract as described by a deed to Capstone-CS, LLC recorded in Volume 8900, Page 148 of the Official Records of Brazos County, Texas, generally located south of Market Street between Holleman Drive South and North Dowling Road.

Sponsors: Schubert

Attachments: [Background Information](#)
[Aerial and Small Area Map](#)
[Ordinance](#)

5. [15-0171](#) Public Hearing, presentation, possible action, and discussion regarding an ordinance amending Chapter 10, "Traffic Code," of the Code of Ordinances of the City of College Station, Texas, to restrict parking along the 300 Block of Cherry Street.

Sponsors: Singh

Attachments: [Location Map](#)
[Ordinance](#)

6. [15-0165](#) Presentation, possible action, and discussion regarding an ordinance annexing approximately 233 acres located in the City's ETJ on the southwest side of the City generally bordered by Royder Road, FM 2154, and Greens Prairie Trail.

Sponsors: Simms

Attachments: [Map of annexation Area](#)
[Ordinance](#)

7. Adjourn.

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

APPROVED



City Manager

I certify that the above Notice of Meeting was posted at College Station City Hall, 1101 Texas Avenue, College Station, Texas, on April 2, 2015 at 5:00 p.m.



City Secretary

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



Legislation Details (With Text)

File #: 15-0177 **Version:** 1 **Name:** Minutes
Type: Minutes **Status:** Consent Agenda
File created: 3/27/2015 **In control:** City Council Regular
On agenda: 4/9/2015 **Final action:**
Title: Presentation, possible action, and discussion of minutes for:
· March 26, 2015 Workshop
· March 26, 2015 Regular Council Meeting
Sponsors: Sherry Mashburn
Indexes:
Code sections:
Attachments: [WKSHP032615 DRAFT Minutes.pdf](#)
[RM032615 DRAFT Minutes.pdf](#)

Date	Ver.	Action By	Action	Result
------	------	-----------	--------	--------

Presentation, possible action, and discussion of minutes for:
· March 26, 2015 Workshop
· March 26, 2015 Regular Council Meeting

Relationship to Strategic Goals: (Select all that apply)
• Good Governance

Recommendation(s): Approval

Summary: None

Budget & Financial Summary: None

Attachments:
March 26, 2015 Workshop
March 26, 2015 Regular Council Meeting

MINUTES OF THE CITY COUNCIL WORKSHOP
CITY OF COLLEGE STATION
MARCH 26, 2015

STATE OF TEXAS §
 §
COUNTY OF BRAZOS §

Present:

Nancy Berry, Mayor

Council:

Blanche Brick
Steve Aldrich
Karl Mooney, absent
John Nichols
Julie Schultz
James Benham, arrived after roll call

City Staff:

Kelly Templin, City Manager
Chuck Gilman, Deputy City Manager
Carla Robinson, City Attorney
Sherry Mashburn, City Secretary
Tanya McNutt, Deputy City Secretary

1. 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 Berry at 4:32 p.m. on Thursday, March 26, 2015 in the Council Chambers of the City of College Station City Hall, 1101 Texas Avenue, College Station, Texas 77840.

2. Executive Session

In accordance with the Texas Government Code §551.071-Consultation with Attorney, the College Station City Council convened into Executive Session at 4:32 p.m. on Thursday, March 26, 2015 in order to continue discussing matters pertaining to:

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

- Cause No. 13-002978-CV-361, Deluxe Burger Bar of College Station, Inc. D/B/A Café Eccell v. Asset Plus Realty Corporation, City of College Station, Texas and the Research Valley Partnership, Inc., In the 361st Judicial District Court, Brazos County, Texas

- Margaret L. Cannon v. Deputy Melvin Bowser, Officer Bobby Williams, Officer Tristan Lopez, Mr. Mike Formicella, Ms. Connie Spence, Cause No. 13 002189 CV 272, In the 272nd District Court of Brazos County, Texas
- Bobby Trant v. BVSWMA, Inc., Cause No. 33014, In the District Court, Grimes County, Texas, 12th Judicial District
- Juliao v. City of College Station, Cause No. 14-002168-CV-272, in the 272nd District Court of Brazos County, Texas

The Executive Session adjourned at 5:10 p.m.

3. Take action, if any, on Executive Session.

No action was required from Executive Session.

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

Item 2c was pulled for clarification.

(2c): Donald Harmon, Director of Public Works, clarified the rationale behind the extensions along Barron Road. They are widening that section and including a raised median to help traffic flow.

Mayor Berry referenced 2b and said the all-way stop signs at the intersection of Lincoln and Tarrow is much appreciated.

5. Presentation, possible action, and discussion relating to receiving the annual audit reports and Comprehensive Annual Financial Report (CAFR) for the fiscal year ended September 30, 2014.

Jeff Kersten, Assistant City Manager, provided a few highlights of the CAFR. The total net position is \$445,660,563.

Jimmy Ingram of Ingram, Wallis & Associates presented the results of the fiscal year 2014 audit and presented, along with staff, the 2014 CAFR.

MOTION: Upon a motion made by Councilmember Benham and a second by Councilmember Nichols, the City Council voted six (6) for and none (0) opposed, to accept the 2014 audit reports and CAFR. The motion carried unanimously.

6. Presentation, possible action, and discussion regarding the Veteran's Park and Athletic Complex Build-Out.

David Schmidt, Director of Parks and Recreation, reported that the Veteran's Park and Athletic Complex build-out consists of adding four additional full-size athletic fields, lighting, 750-plus parking spaces, and amenities throughout the park such as shade, playgrounds, and splash pads. This will be a true year-round facility. It will add to our event total with the flexibility to host

larger tournaments. Total project cost is \$14,263,301 and the intent is to utilize Hotel Occupancy Tax funds for the project. The use of HOT funds require that the project meet a two-part test. Staff estimates operations and maintenance costs of \$124,000, which includes one additional grounds worker position.

Brian Binkowski, Director of Planning and Landscape Architecture with Baker-Aicklen, briefed the Council on the Veteran's Park Build-Out Master Plan. The fields will accommodate soccer, football, lacrosse, and many other sports events that can play on these types of facilities. Various other amenities, such as a splash pad, concession area, restrooms, lockers, etc. are also included. One of the fields will be designed as a championship field with seating for approximately 1,710 spectators, with room to add portable bleachers and berms to take the capacity to almost 3,000.

Staff is looking for approval to move forward with securing a firm to fully design and engineer the Veteran's Park Build-Out.

MOTION: Upon a motion made by Councilmember Nichols and a second by Councilmember Schultz, the City Council voted six (6) for and none (0) opposed, to have staff move forward with securing a firm to fully design and engineer the Veteran's Park Build-Out. The motion carried unanimously.

7. Council Calendar

Council reviewed the calendar.

8. Presentation, possible action, and discussion on future agenda items: a Councilmember 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,

9. Discussion, review and possible action regarding the following meetings: Animal Shelter Board, Arts Council of Brazos Valley, Arts Council Sub-committee, Audit Committee, Bicycle, Pedestrian, and Greenways Advisory Board, Bio-Corridor Board of Adjustments, Blinn College Brazos Valley Advisory Committee, Brazos County Health Dept., Brazos Valley Council of Governments, Bryan/College Station Chamber of Commerce, Budget and Finance Committee, BVSWMA, BVWACS, Compensation and Benefits Committee, Convention & Visitors Bureau, Design Review Board, Economic Development Committee, Gigabit Broadband Initiative, Historic Preservation Committee, Interfaith Dialogue Association, Intergovernmental Committee, Joint Relief Funding Review Committee, Landmark Commission, Library Board, Metropolitan Planning Organization, Parks and Recreation Board, Planning and Zoning Commission, Research Valley Partnership, Research Valley Technology Council, Regional Transportation Committee for Council of Governments, Transportation and Mobility Committee, TAMU Student Senate, Texas Municipal League, Twin City Endowment, Youth Advisory Council, Zoning Board of Adjustments.

Mayor Berry reported on the Intergovernmental Committee.

Councilmember Schultz reported on the Community Leaders Dialog, the Research Valley Partnership, and the Biocorridor update.

Councilmember Brick reported on the Regional Transportation Committee.

Mayor Berry reported on the Chamber Transportation Committee.

Councilmember Nichols reported on Chamber Day.

Councilmember Aldrich reported on the Exploring History Luncheon and the Arts Council.

10. Adjournment

MOTION: There being no further business, Mayor Berry adjourned the workshop of the College Station City Council at 6:54 p.m. on Thursday, March 26, 2015.

Nancy Berry, Mayor

ATTEST:

Sherry Mashburn, City Secretary

MINUTES OF THE REGULAR CITY COUNCIL MEETING
CITY OF COLLEGE STATION
MARCH 26, 2015

STATE OF TEXAS §
 §
COUNTY OF BRAZOS §

Present:

Nancy Berry, Mayor

Council:

Blanche Brick
Steve Aldrich
Karl Mooney, absent
John Nichols
Julie Schultz
James Benham

City Staff:

Kelly Templin, City Manager
Carla Robinson, City Attorney
Chuck Gilman, Deputy City Manager
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 Berry at 7:06 p.m. on Thursday, March 26, 2015 in the Council Chambers of the City of College Station City Hall, 1101 Texas Avenue, College Station, Texas 77840.

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

MOTION: Upon a motion made by Councilmember Benham and a second by Councilmember Aldrich, the City Council voted six (6) for and none (0) opposed, to approve Councilmember Mooney's Absence Request. The motion carried unanimously.

Citizen Comments

Ben Roper, 5449 Prairie Dawn Ct., came before Council to honor the service and sacrifice of Sgt. Melissa Vales.

CONSENT AGENDA

2a. Presentation, possible action, and discussion of minutes for:

- **March 10, 2015 Special Meeting**
- **March 12, 2015 Workshop**
- **March 12, 2015 Regular Council Meeting**

2b. Presentation, possible action, and discussion on the consideration of Ordinance 2015-3644, amending Chapter 10, "Traffic Code", Section 10-2., "Traffic Control Devices," Subsection D "Intersections Controlled by Stop Signs", Traffic Schedule III - Stop Signs, of the Code of Ordinances of the City of College Station, Texas, by implementing an all-way stop at the intersection of Lincoln Avenue and Tarrow Street.

2c. Presentation, possible action and discussion regarding construction contract 15-146 with Brazos Paving, Inc., in the amount of \$328,164.35 for roadway, sidewalk, and drainage improvements along Barron Road from SH 40 through the W.S. Phillips Parkway intersection.

2d. Presentation, possible action, and discussion regarding construction contract 15-029 with CLM Energy Services, LLC in the amount of \$80,887.86 for the Rock Prairie Road 8-Inch Water Line.

2e. Presentation, possible action, and discussion to award contract 15-060 to Freese & Nichols, Inc. in the amount of \$325,000 to update the City's Wastewater System Master Plan.

2f. Presentation, possible action, and discussion to approve a License Agreement with College Station Independent School District to provide a sewer system connection for 101 Lee Street.

MOTION: Upon a motion made by Councilmember Nichols and a second by Councilmember Aldrich, the City Council voted six (6) for and none (0) opposed, to approve the Consent Agenda. The motion carried unanimously.

REGULAR AGENDA

1. Public Hearing, presentation, possible action, and discussion of Ordinance 2015-3645, amending Chapter 10 "Traffic Code", to remove parking along Kate Lane between Keefer Loop and Summerway Drive.

Donald Harmon, Director of Public Works, reported that because of an inability to maneuver emergency vehicles along Kate Lane due to on-street parking, the Fire Department requested the removal of parking along one side of the street. The Traffic Management Team evaluated the Fire

Department's request and recommends removing parking on one side of the street. Staff will send a letter to the affected property owners letting them know of this parking removal ordinance.

At approximately 7:12 p.m., Mayor Berry opened the Public Hearing.

There being no comments, the Public Hearing was closed at 7:12 p.m.

MOTION: Upon a motion made by Councilmember Benham and a second by Councilmember Schultz, the City Council voted six (6) for and none (0) opposed, to adopt Ordinance 2015-3645, amending Chapter 10 "Traffic Code", to remove parking along Kate Lane between Keefer Loop and Summerway Drive. The motion carried unanimously.

2. Public hearing, presentation, possible action, and discussion regarding Ordinance 2015-3646, amending Chapter 12, "Unified Development Ordinance," Section 12-4.2, "Official Zoning Map," of the Code of Ordinances of the City of College Station, Texas, by changing the zoning district boundaries from R Rural to SC Suburban Commercial for the property being a 1.917-acre portion of a called 2.68 acre tract in the Crawford Burnett, A-7, in the City of College Station, Brazos County, Texas, and as conveyed in a gift deed in Volume 1620, Page 70, save and except that portion conveyed to the State of Texas in the road right-of-way line for F.M. 2154, as recorded in Volume 6520, Page 247, of the Official Records of Brazos County, Texas, generally located at the southeast corner of Navarro Drive and Wellborn Road.

Jason Schubert, Planning and Development, stated this request is to rezone the subject property from Rural to Suburban Commercial.

The Planning and Zoning Commission considered this item at their March 5, 2015 meeting and unanimously recommended approval. Staff also recommends approval.

At approximately 7:14 p.m., Mayor Berry opened the Public Hearing.

There being no comments, the Public Hearing was closed at 7:14 p.m.

MOTION: Upon a motion made by Councilmember Benham and a second by Councilmember Schultz, the City Council voted six (6) for and none (0) opposed, to adopt Ordinance 2015-3646, amending Chapter 12, "Unified Development Ordinance," Section 12-4.2, "Official Zoning Map," of the Code of Ordinances of the City of College Station, Texas, by changing the zoning district boundaries from R Rural to SC Suburban Commercial for the property being a 1.917-acre portion of a called 2.68 acre tract in the Crawford Burnett, A-7, in the City of College Station, Brazos County, Texas, and as conveyed in a gift deed in Volume 1620, Page 70, save and except that portion conveyed to the State of Texas in the road right-of-way line for F.M. 2154, as recorded in Volume 6520, Page 247, of the Official Records of Brazos County, Texas, generally located at the southeast corner of Navarro Drive and Wellborn Road. The motion carried unanimously.

3. Presentation, possible action, and discussion of Ordinance 2015-3647, amending Chapter 11, "Utilities", of the Code of Ordinances of the City of College Station, Texas, by adding a new section 13, "Lease of City Fiber Optic Cable Facilities"; providing a severability clause; declaring a penalty; and providing an effective date.

Ben Roper, Director of Information Technology, reported that the ordinance provides for the authority to develop and negotiate leases to private entities to the extent permitted by state law; the City Manager determines the surplus. This will provide an economic development tool, and establishes the City as a utility provider in a completely new area. Revenue potential is minimal.

The details of the lease agreements are critical to ensure that City assets are used to the public's advantage and that City resources can provide the contracted services without jeopardizing internal city support.

MOTION: Upon a motion made by Councilmember Benham and a second by Councilmember Schultz, the City Council voted six (6) for and none (0) opposed, to adopt Ordinance 2015-3647, amending Chapter 11, "Utilities", of the Code of Ordinances of the City of College Station, Texas, by adding a new section 13, "Lease of City Fiber Optic Cable Facilities"; providing a severability clause; declaring a penalty; and providing an effective date. The motion carried unanimously.

4. Adjournment.

MOTION: There being no further business, Mayor Berry adjourned the Regular Meeting of the City Council at 7:26 p.m. on Thursday, March 26, 2015.

Nancy Berry, Mayor

ATTEST:

Sherry Mashburn, City Secretary



Legislation Details (With Text)

File #:	15-0152	Version:	1	Name:	Vote Centers
Type:	Resolution	Status:		Status:	Consent Agenda
File created:	3/12/2015	In control:		In control:	City Council Regular
On agenda:	4/9/2015	Final action:		Final action:	
Title:	Presentation, possible action, and discussion on a resolution supporting Brazos County's application to the Secretary of State to establish Election Day county-wide polling places, or Vote Centers, in lieu of individual precinct polling places for all future elections.				
Sponsors:	Sherry Mashburn				
Indexes:					
Code sections:					
Attachments:	Res Vote Centers.pdf				

Date	Ver.	Action By	Action	Result
------	------	-----------	--------	--------

Presentation, possible action, and discussion on a resolution supporting Brazos County's application to the Secretary of State to establish Election Day county-wide polling places, or Vote Centers, in lieu of individual precinct polling places for all future elections.

Relationship to Strategic Goals:

- Good Governance

Recommendation(s): Approval

Summary: Karen McQueen, Brazos County Clerk, will present on this item during Workshop. The Brazos County Commissioner's Court has strongly encouraged the County Clerk to move forward on establishing county-wide vote centers. The City of Bryan will consider this at their April 14 meeting.

Budget & Financial Summary: It is anticipated that the City will experience a reduction in election expenses.

Attachments:

- Resolution

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COLLEGE STATION, TEXAS, INDICATING ITS SUPPORT OF BRAZOS COUNTY'S APPLICATION TO THE TEXAS SECRETARY OF STATE TO ESTABLISH ELECTION DAY COUNTY-WIDE POLLING PLACES, OR VOTE CENTERS, IN LIEU OF INDIVIDUAL PRECINCT POLLING PLACES FOR ALL FUTURE ELECTIONS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the 79th Texas Legislature approved a pilot program to evaluate the use of election day county-wide polling places as an alternative to restricting voters to voting only at the precinct polling place where they are registered to vote; and

WHEREAS, subsequent Texas Legislatures have approved the expansion of the program to counties applying for vote center voting status based upon the success of the program in the pilot program counties; and

WHEREAS, several municipalities have participated in this program in cooperation with their respective counties; and

WHEREAS, surveys of voters utilizing county-wide polling places, or vote centers, on election day have expressed support for the continued use of said vote centers due to the convenience to the voters; and

WHEREAS, an exit survey of voters in Lubbock County indicated that 95 percent liked the vote center concept, 91 percent found the vote centers more convenient than voting at their home precinct, 94 percent found the vote centers easy to locate, and over 95 percent wanted vote centers used in future elections; and

WHEREAS, similar results were indicated by voter surveys in other counties utilizing vote centers, such as Brazoria County, Galveston County, Collin County, Lampasas County, Swisher County, Erath County, Gaines County and Midland County; and

WHEREAS, the Secretary of State filed a report with the Texas Legislature reporting that the pilot program was well received and liked by voters and election workers; now, therefore,

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

PART 1: The College Station City Council hereby voices its support of Brazos County's application to the Secretary of State for permission to implement election day county-wide, or vote center, voting, effective with the November 2015 election.

PART 2: The City Secretary is hereby instructed to forward a certified copy of this Resolution to the Brazos County Commissioners for inclusion in the submission to the Secretary of State's Office.

PART 3: This resolution shall become effective immediately upon adoption.

Adopted this 9th day of April, A.D., 2015.

CITY OF COLLEGE STATION, TEXAS

Nancy Berry, Mayor

ATTEST:

Sherry Mashburn, City Secretary

APPROVED:

Carla A. Robinson, City Attorney



Legislation Details (With Text)

File #: 15-0161 **Version:** 1 **Name:** Annual price agreement with Daco Fire Equipment
Type: Presentation **Status:** Consent Agenda
File created: 3/18/2015 **In control:** City Council Regular
On agenda: 4/9/2015 **Final action:**
Title: Presentation, possible action, and discussion regarding an annual price agreement with Daco Fire Equipment, in the amount of \$60,200.40 for protective clothing.
Sponsors: Eric Hurt
Indexes:
Code sections:
Attachments: [Daco Fire gear 4-15.pdf](#)

Date	Ver.	Action By	Action	Result
------	------	-----------	--------	--------

Presentation, possible action, and discussion regarding an annual price agreement with Daco Fire Equipment, in the amount of \$60,200.40 for protective clothing.

Relationship to Strategic Goals:

- Financially Sustainable City
- Core Services and Infrastructure
- Diverse Growing Economy
- Sustainable City

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

Summary: Purchases will be made from Daco Fire through Buyboard Contract #363-10. Each product and service on the Buyboard has been carefully and competitively bid and is awarded based on Texas Statutes by the Local Government Purchasing cooperative. This cooperative is administered by the Texas Association of School Boards and is endorsed by the Texas Municipal League and the Texas Association of Counties.

Budget & Financial Summary: Funds are budgeted for 30 replacement gear sets in the FY15 annual budget in accounts 001-4251-562-2550 and 001-4253-568-2550.

Attachments:

Daco Fire Equipment quote.



DACO FIRE EQUIPMENT

201 AVE R
PO BOX 5006
LUBBOCK, TX 79408
Phone # Fax #
806-763-0808 806-763-9151

Estimate

Date	Estimate #
3/6/2015	1681

Name / Address
COLLEGE STATION, CITY OF P.O. BOX 9960 COLLEGE STATION, TX 77842

Ship To
COLLEGE STAION FIRE DEPT. BEKIE CHARANZA 300 KRENEK TAP ROAD COLLEGE STATION, TX 77845

Terms	Rep	FOB
Net 30	LLF	

Item	Description	Qty	Rate	Total
LIOCLTM-32	LIBERTY COAT, 32"	30	1,199.95	35,998.50
LIOPLBM	LIBERTY PANT	30	806.73	24,201.90
PRICING GOOD THRU 12-31-2015 PER PSGQ# 13422				
Lion PPE is available for purchase through the Buy-Board. DACO Fire Equipment, Inc. Contract #363-10				

Subtotal			\$60,200.40
Sales Tax (0.0%)			\$0.00
Total			\$60,200.40



Legislation Details (With Text)

File #:	15-0164	Version:	1	Name:	Well Field Collection System Loop Needs Resolution Amendment
Type:	Resolution	Status:		Status:	Consent Agenda
File created:	3/21/2015	In control:		In control:	City Council Regular
On agenda:	4/9/2015	Final action:		Final action:	
Title:	Presentation, possible action, and discussion regarding approval of an Amendment to Resolution No. 1-22-15-2c, determining public need and necessity for the City to initiate, complete, and acquire certain property located at the northwest corner of the intersection of West OSR and Sandy Point Road, Bryan, Brazos County, Texas, for the purpose of the Well Field Collection System Loop Project, by adding additional property descriptions to the Resolution.				
Sponsors:	Donald Harmon				
Indexes:					
Code sections:					
Attachments:	Well Field Collection Project - Updated Location Map.pdf Amended Needs Resolution 4-1-2015.pdf				

Date	Ver.	Action By	Action	Result
------	------	-----------	--------	--------

Presentation, possible action, and discussion regarding approval of an Amendment to Resolution No. 1-22-15-2c, determining public need and necessity for the City to initiate, complete, and acquire certain property located at the northwest corner of the intersection of West OSR and Sandy Point Road, Bryan, Brazos County, Texas, for the purpose of the Well Field Collection System Loop Project, by adding additional property descriptions to the Resolution.

Relationship to Strategic Goals:

- Core Services and Infrastructure

Recommendation(s): Staff recommends Council approval of the Amendment to a Resolution Determining Public Need and Necessity for the Well Field Collection System Loop Project.

Summary: Council previously approved a Resolution authorizing the acquisition of a public utility easement and temporary construction easement for the Well Field Collection System Loop Project. The project will include the design, construction, and easement acquisition for a well field collection line along West OSR in northwest Brazos County. This proposed line connection will incorporate a redundant well field collection system and will also allow for flow to be diverted during maintenance and/or outages in the well fields. This specific segment of line will connect the existing Well #6 Collection Line to the existing Well #7 Collection Line via a proposed 30" ductile iron water transmission line along West OSR.

Since approval of the Resolution on January 22, 2015, Water Services has identified additional need for fiber optic cable in the area to serve the water system. This will require an easement(s) on property adjacent to the property previously described in the original Resolution. Attached is an Amendment to Resolution Determining Public Need and Necessity and a revised Exhibit "A"

reflecting the current properties that may require easements for the project. Approval of this Amendment will authorize staff to negotiate for the purchase of the easements necessary to complete the project.

Budget & Financial Summary: A total budget of \$900,000 is included for this project in the Water Capital Improvement Projects Fund. The design and land acquisition phases of this project are currently in progress with construction scheduled for FY17.

Attachments:

1. Project Map - Updated
2. Amendment to Resolution Determining Public Need and Necessity with Exhibit "A"

Well Field Collection System Loop Project Location Map



Approximate location of PUE and TCE for water line

Hinkle

PUE needed for fiber optic

SANDY POINT RD

WOSR

CONQUISTADOR CR

SUERTERO ST

Tramble

Luther

Notice: The accuracy of this data is limited to the validity and accuracy of available data, and therefore the City makes no representation or warranties as to the accuracy of the data. Any party using the data does so at their own risk. This data is produced pursuant to the Texas Public Information Act.
Map Created on March 13, 2015.

Legend - Water Lines

-  Distribution
-  Fire
-  Transmission
-  Collection

**AMENDMENT TO RESOLUTION DETERMINING
PUBLIC NEED AND NECESSITY**

RESOLUTION NO. _____

PRESENTATION, POSSIBLE ACTION, AND DISCUSSION REGARDING APPROVAL OF AN AMENDMENT TO RESOLUTION NO. 1-22-15-2C, DETERMINING PUBLIC NEED AND NECESSITY FOR THE CITY TO INITIATE, COMPLETE, AND ACQUIRE CERTAIN PROPERTY LOCATED AT THE NORTHWEST CORNER OF THE INTERSECTION OF WEST OSR AND SANDY POINT ROAD, BRYAN, BRAZOS COUNTY, TEXAS, FOR THE PURPOSE OF THE WELL FIELD COLLECTION SYSTEM LOOP PROJECT, BY ADDING ADDITIONAL PROPERTY DESCRIPTIONS TO THE RESOLUTION.

WHEREAS, the City Council of College Station, Texas (“City”) previously authorized a Resolution for the Well Field Collection System Loop Project (“Project”), being Resolution No. 1-22-15-2c on January 22, 2015; and

WHEREAS, the City desires to add property descriptions to Exhibit “A” for additional properties from which utility easement interest(s) may be acquired (the “Property”) for the Project; now therefore;

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

PART 1: That the City Council of the City of College Station, Texas, hereby officially determines that the Property described in Exhibit “A”, which is attached to this Resolution, shall, upon execution of this Resolution, substitute and replace the previously approved Property description in its entirety and shall become incorporated in the above-referenced Resolution 1-22-15-2c as though written fully therein.

PART 2: That all other parts of the previously authorized Resolution shall remain unchanged.

PART 3: That this Resolution shall take effect immediately from and after the date of its passage.

ADOPTED this _____ day of _____, A.D. 20__.

ATTEST:

APPROVED:

City Secretary

MAYOR

APPROVED:

City Attorney

EXHIBIT "A"

Being all those tracts or parcels of land necessary to complete a waterline project located along a route extending along West OSR in Bryan, Brazos County, Texas. Said route depicted on the map attached hereto and made part hereof. The parcels needed in easement interest for the project may be acquired from the following lands:

Landowner (Now or Formerly): HINKLE, BONNIE GAYE HALTOM

Brazos County Appraisal District Property ID: 13384

Street Address: West OSR, Bryan, Texas

Legal Description: Abstract No. 48, Francisco Ruiz Survey, 50.6 Acres; as described in Distribution Deed from Dorcas Higgs Haltom recorded in Volume 9248, Page 171, Official Records of Brazos County, Texas.

Landowner (Now or Formerly): LUTHER, FRED JR.

Brazos County Appraisal District Property ID: 13394

Street Address: West OSR, Bryan, Texas

Legal Description: Abstract No. 48, Francisco Ruiz Survey, 42.27 Acres; as described in Gift Deed from Inez Higgs Luther recorded in Volume 3873, Page 313, Official Records of Brazos County, Texas.

Landowner (Now or Formerly): TRAMBLE, CELESTINE

Brazos County Appraisal District Property ID: 16027

Street Address: West OSR, Bryan, Texas

Legal Description: Abstract No. 203, John B. Root Survey, 21.87 Acres; being a portion of the 23.3 acre remainder tract of a 27.3 acre tract as described in Deed from Laura Bradley Sanders recorded in Volume 562, Page 758, Deed Records of Brazos County, Texas.



Legislation Details (With Text)

File #: 15-0178 **Version:** 1 **Name:** Wire and Cable Agreement
Type: Presentation **Status:** Consent Agenda
File created: 3/27/2015 **In control:** City Council Regular
On agenda: 4/9/2015 **Final action:**
Title: Presentation, possible action, and discussion on a bid award for the annual purchase of wire and cable, which will be maintained in electrical inventory and expended as needed. The total recommended award is \$659,700.00 to Techline, Inc.
Sponsors: Jeff Kersten
Indexes:
Code sections:
Attachments: [Tabulation 15-030.pdf](#)

Date	Ver.	Action By	Action	Result
------	------	-----------	--------	--------

Presentation, possible action, and discussion on a bid award for the annual purchase of wire and cable, which will be maintained in electrical inventory and expended as needed. The total recommended award is \$659,700.00 to Techline, Inc.

Relationship to Strategic Goals: Core Services and Infrastructure

Recommendation(s): Staff recommends award to the lowest responsible bidder meeting the specifications as follows:

Techline, Inc. \$659,700.00

Summary: On February 27, 2015, seven (7) sealed bids were received and opened for Invitation to Bid 15-030, for the annual purchase of wire and cable. Electric staff evaluated the bids for compliance to the needed specifications. Staff is recommending award to a single vendor, Techline, Inc. Techline, Inc. submitted the lowest overall bid, which meet all specifications. Bid A submitted by Texas Electric Cooperation took exception to the required delivery times and the "cut-to-length" requirement of Item #2, and was therefore not considered for award.

Upon Council approval, a blanket order will be issued to Techline, Inc. The materials will be placed and maintained in the electrical inventory and expended as needed. The price agreement will be for a one (1) year period with the option to renew for two additional one year terms.

Budget & Financial Summary: Funds are budgeted and available in the Electrical Fund. Various projects may be expensed as supplies are pulled from inventory and issued.

Reviewed and Approved by Legal: N/A

Attachments: Bid Tabulation #15-030



**City of College Station - Purchasing Division
 Bid Tabulation for #15-030
 "Annual Wire and Cable Price Agreement"
 Open Date: Friday, February 27, 2015 @ 2:00 p.m.**

Item		Qty (ft)	Quote	Techline, Inc.	Priester-Mell & Nicholson	Stuart C. Irby	Texas Electric Cooperatives - A	Texas Electric Cooperatives - B	KBS Electrical Dist.	Wesco - A	Wesco - B
1	Underground Distribution Cable, 15,000 volts, 1/0 AWG Class B Inv # 280-080-00001	100,000	Manufacturer	Prysmian	Kerite	Southwire	CME Wire & Cable	Hendrix	Southwire	Okonite	
			Delivery	3-5 weeks	6 weeks	12 weeks	15 weeks	6-8 weeks	12 weeks	Stock	
			Metals Week (date)	3/3/2015	2/20/2015					3/4/2015	
			AL/ft	\$0.1019	\$1.0615	\$0.1051			\$0.2900	\$0.1089	
			CU/ft	\$0.5675	\$2.6532	\$0.5638			\$0.6200	\$0.56925	
			Material & Profit	\$1.5806	\$0.5826	\$1.6011			\$1.4700	\$1.39105	
			Total Unit Price	\$2.2500	\$4.2973	\$2.2700	\$1.9200	\$2.6400	\$2.3800	\$2.06920	
			Total Extended Cost	\$225,000.00	\$429,730.00	\$227,000.00	\$192,000.00	\$264,000.00	\$238,000.00	\$206,920.00	
			Exceptions Noted	None	None	Yes. See Bid	Exceptions taken to Delivery	Exceptions taken to Delivery	None	None	
			2	Underground Distribution Cable, 15,000 volts, 1000 MCM Class B Inv # 280-080-00016	50,000	Manufacturer	Prysmian	Kerite	Southwire	CME Wire & Cable	Hendrix
Delivery	10 days	10 days				10 days	15 weeks*	6-8 weeks*	12 weeks*	10 days	10 days
Metals Week (date)	3/3/2015	2/20/2015								3/4/2015	3/4/2015
AL/ft	\$0.9751	\$1.0615				\$0.9949			\$2.6500	1.0329	\$1.0324
CU/ft	\$1.7944	\$2.6532				\$1.7811			\$1.9000	1.81775	\$1.817750
Material & Profit	\$5.1005	\$2.1957				\$5.5240			\$3.9200	5.52861	\$5.846810
Total Unit Price	\$7.8700	\$5.9104				\$8.3000	\$7.2950	\$9.9800	\$8.4700	\$8.37926	\$8.696960
Total Extended Cost	\$393,500.00	\$295,520.00				\$415,000.00	\$364,750.00	\$499,000.00	\$423,500.00	\$418,963.00	\$434,848.00
Exceptions Noted	None	None				Yes. See Bid	Exceptions taken to Delivery and "cut-to-length" specification	Quote plus or minus 5% on cut to length. Exceptions taken to Delivery	Exception taken to Delivery Time	Price A - based on COCS buying scrap lengths from Wesco (lengths <250') on an annual basis. Pricing will be escalated quarterly. See bid.	Price B - Based on Wesco being responsible for scrap lengths. Pricing will be escalated quarterly. See Bid.
3	Underground Triplex Service Cable, 600 volt, 2/0 AWG Inv # 280-080-00002	40,000				Manufacturer	Prysmian	Nexans	Southwire	CME Wire & Cable	CME Wire & Cable
			Delivery	3-5 weeks	8-9 weeks	6-8 weeks	3 weeks	3 weeks	6-8 weeks	stock - 2 weeks	
			Metals Week (date)	3/3/2015	2/27/2015					3/4/2015	
			AL/ft	\$0.3951	\$1.0615	\$0.3516			\$0.6935	\$0.193874	
			CU/ft								
			Material & Profit	\$0.6349	\$0.2400	\$0.7284			\$0.4065	\$0.911323	
			Total Unit Price	\$1.0300	\$1.3015	\$1.0800	\$0.9950	\$0.9950	\$1.1000	\$1.105197	
			Total Extended Cost	\$41,200.00	\$52,060.00	\$43,200.00	\$39,800.00	\$39,800.00	\$44,000.00	\$44,207.88	
			Exceptions Noted	None	None	Yes. See Bid	None	None	None	Yes. See bid.	
			GRAND TOTAL				\$659,700.00	\$777,310.00	\$685,200.00	\$596,550.00	\$802,800.00
Bid Certification				Y	Y	Y	Y	Y	Y	Y	
Addendums Acknowledged				Y	Y	Y	Y	Y	Y	N	

Notes:

- Audio Visual Aids submitted a letter of no bid.
- Priester-Mell & Nicholson's Total Unit Price and Total Extended Costs have been corrected using the unit costs provided. Highlighted numbers are the corrected amounts.
- KBS Electrical Distribution's Total Extended Cost has been corrected using the unit costs provided. Highlighted numbers are the corrected amounts.
- Wesco's Total Unit Price and Total Extended Cost has been corrected using the unit costs provided. Highlighted numbers are the corrected amounts.
- Texas Electric Cooperatives - A, is not being recommended award based on exceptions taken to delivery time, and the "cut-to-length" specification of Item 2.



Legislation Details (With Text)

File #:	15-0158	Version:	1	Name:	Public Utility Easement Abandonment Southwood Section 5, Tract 1
Type:	Ordinance	Status:			Agenda Ready
File created:	3/17/2015	In control:			City Council Regular
On agenda:	4/9/2015	Final action:			
Title:	Public Hearing, presentation, possible action, and discussion approving an ordinance vacating and abandoning a 3,912 square foot portion of the 1.08 Acres Public Utility Easement located in Southwood Section 5, Tract 1 according to the plat recorded in Volume 284, Page 516 of the Deed Records of Brazos County, Texas.				
Sponsors:	Carol Cotter				
Indexes:					
Code sections:					
Attachments:	Vicinity Map.pdf Location Map.pdf Ordinance Exhibit A.pdf Abandonment Ordinance.pdf				

Date	Ver.	Action By	Action	Result
------	------	-----------	--------	--------

Public Hearing, presentation, possible action, and discussion approving an ordinance vacating and abandoning a 3,912 square foot portion of the 1.08 Acres Public Utility Easement located in Southwood Section 5, Tract 1 according to the plat recorded in Volume 284, Page 516 of the Deed Records of Brazos County, Texas.

Relationship to Strategic Goals: N/A

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

Summary: This public utility easement abandonment accommodates the A&M Consolidated High School gym expansion. There is currently an electric line running through this easement, but CSU has approved a plan for the relocation of the electric line with the gym expansion. The abandonment is conditioned on the relocation of the existing electric line and dedication of a new PUE. If either of these conditions are not met, the abandonment will be null and void.

Budget & Financial Summary: N/A

Attachments:

1. Vicinity Map
2. Location Map
3. Ordinance
4. Ordinance Exhibit "A"
5. Application for Abandonment (On file at the City Engineer's Office)



3,912 SQ. FT. Easement Abandonment

LOCATION MAP

EXHIBIT A, 1 OF 2

METES AND BOUNDS DESCRIPTION
OF A
3912 SQUARE FOOT TRACT
TRACT 1, SOUTHWOOD, SECTION FIVE
COLLEGE STATION, BRAZOS COUNTY, TEXAS

METES AND BOUNDS DESCRIPTION OF ALL THAT CERTAIN TRACT OF PARCEL OF LAND LYING AND BEING SITUATED IN COLLEGE STATION, BRAZOS COUNTY, TEXAS. SAID TRACT BEING A PORTION OF AN EXISTING 1.0807 ACRE UTILITY EASEMENT AS DESCRIBED IN VOLUME 3180, PAGE 14 OF THE OFFICIAL PUBLIC RECORDS OF BRAZOS COUNTY, TEXAS, SAID EASEMENT BEING A PORTION OF TRACT 1, SOUTHWOOD, SECTION FIVE, ACCORDING TO THE PLAT RECORDED IN VOLUME 284, PAGE 516 OF THE DEED RECORDS OF BRAZOS COUNTY, TEXAS.

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

COMMENCING AT A POINT ON THE NORTHEAST LINE OF WELCH BOULEVARD (80' R.O.W.) SAME BEING THE SOUTHWEST LINE OF SAID TRACT 1, MARKING THE MOST SOUTHERLY CORNER OF SAID 1.0807 ACRE UTILITY EASEMENT;

THENCE: THROUGH SAID TRACT 1 AND ALONG THE SOUTHEASTERLY LINES OF SAID EXISTING EASEMENT FOR THE FOLLOWING CALLS:

N 19° 44' 53" E FOR A DISTANCE OF 20.08 FEET;

N 70° 15' 07" W FOR A DISTANCE OF 18.52 FEET;

N 19° 33' 36" E FOR A DISTANCE OF 378.01 FEET;

S 74° 28' 08" E FOR A DISTANCE OF 95.91 FEET TO THE **POINT OF BEGINNING** OF THIS HEREIN DESCRIBED TRACT;

THENCE: CONTINUING THROUGH SAID TRACT 1 FOR THE FOLLOWING CALLS:

N 82° 26' 26" E THROUGH SAID EXISTING EASEMENT FOR A DISTANCE OF 51.00 FEET;

S 74° 28' 08" E ALONG A NORTHERLY LINE OF SAID EASEMENT FOR A DISTANCE OF 117.48 FEET;

S 76° 26' 51" E CONTINUING ALONG SAID NORTHERLY LINE OF SAID EASEMENT FOR A DISTANCE OF 50.13 FEET;

S 09° 12' 11" E THROUGH SAID EASEMENT FOR A DISTANCE OF 21.69 FEET;

N 76° 26' 51" W ALONG A SOUTHERLY LINE OF SAID EASEMENT FOR A DISTANCE OF 58.86 FEET;

N 74° 28' 08" W CONTINUING ALONG SAID SOUTHERLY OF SAID EASEMENT FOR A DISTANCE OF 164.73 FEET TO THE **POINT OF BEGINNING** CONTAINING 3912 SQUARE FEET OF LAND, MORE OR LESS. BEARING SYSTEM SHOWN HEREIN IS BASED ON GRID NORTH AS ESTABLISHED FROM GPS OBSERVATION. SEE PLAT PREPARED MARCH 2015 FOR MORE DESCRIPTIVE INFORMATION.

BRAD KERR
REGISTERED PROFESSIONAL
LAND SURVEYOR No. 4502

D:/WORK/MAB/15-190A.MAB

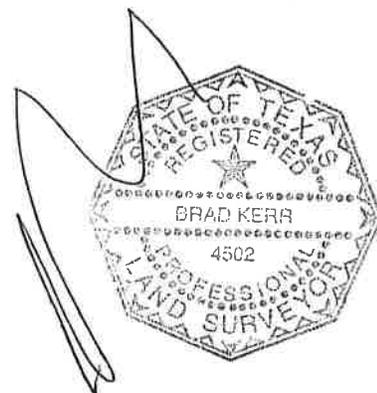


EXHIBIT A, 2 OF 2



SCALE: 1" = 60'

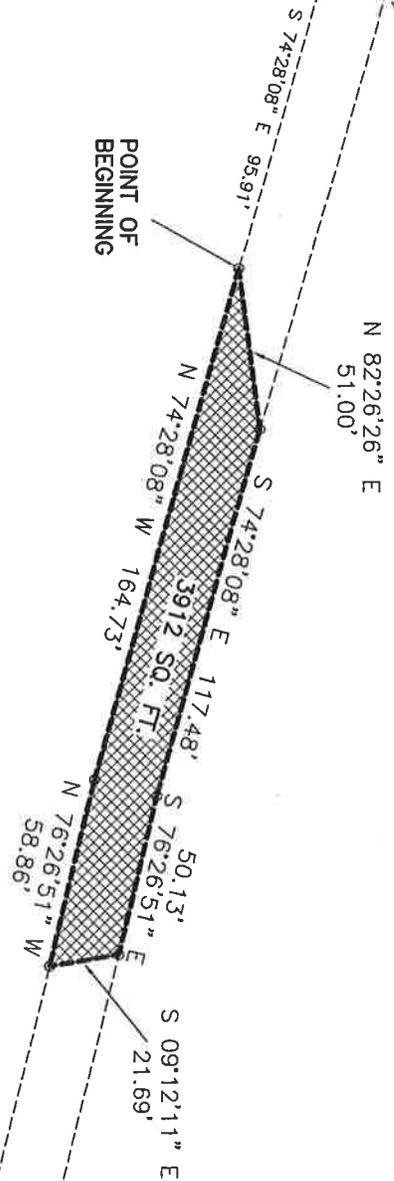
WELCH BOULEVARD
80' R.O.W.

N 70°15'07" W 18.52'
N 19°44'53" E 20.08'

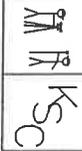
EXISTING UTILITY EASEMENT
1.0807 ACRES
3180/14
N 19°33'36" E 378.01'

TRACT 1
SOUTHWOOD
SECTION FIVE
A&M CONSOLIDATED HIGH SCHOOL

POINT OF BEGINNING



SEE METES AND BOUNDS PREPARED MARCH 2015 FOR MORE DESCRIPTIVE INFORMATION.
BEARING SYSTEM SHOWN HEREON IS BASED ON GRID NORTH AS ESTABLISHED FROM GPS OBSERVATION.



SURVEY PLAT
OF A PARTIAL EASEMENT ABANDONMENT
TRACT 1
SOUTHWOOD, SECTION FIVE
VOLUME 284 PAGE 516
COLLEGE STATION, BRAZOS COUNTY, TEXAS

SCALE: 1 INCH = 60 FEET
SURVEY DATE: 03-05-15
PLAT DATE: 03-05-15
JOB NUMBER: 15-190
CAD NAME: 15-190
CRS FILE: 15-190
PREPARED BY:
KERR SURVEYING LLC
409 N. TEXAS AVENUE
BRYAN, TEXAS 77803
PHONE (409) 268-3195

ORDINANCE NO. _____

AN ORDINANCE MAKING CERTAIN AFFIRMATIVE FINDINGS AND VACATING AND ABANDONING A 3,912 SQUARE FOOT PORTION OF THE 1.08 ACRES PUBLIC UTILITY EASEMENT LYING ALONG TRACT 1, SECTION 5, OF THE SOUTHWOOD, ACCORDING TO THE PLAT RECORDED IN VOLUME 284, PAGE 516 OF THE OFFICIAL RECORDS OF BRAZOS COUNTY, TEXAS.

WHEREAS, the City of College Station, Texas, has received an application for the vacation and abandonment of a 3,912 Square Foot portion of the 1.08 Acres Public Utility Easement lying along Tract 1, Section 5, of the Southwood, according to the plat recorded in Volume 284, Page 516, of the Official Records of Brazos County, Texas, as described in Exhibit "A" attached hereto (such portion hereinafter referred to as the "Public Utility Easement"); and

WHEREAS, in order for the Public Utility Easement to be vacated and abandoned by the City Council of the City of College Station, Texas, the City Council must make certain affirmative findings; now therefore,

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

PART 1: That after opening and closing a public hearing, the City Council finds the following pertaining to the vacating and abandoning of the Public Utility Easement described in Exhibit "A" attached hereto and made a part of this ordinance for all purposes.

1. Abandonment of the Public Utility Easement will not result in property that does not have access to public roadways or utilities.
2. Other than is set forth herein, there is no public need or use for the Public Utility Easement.
3. Except as may be provided for in this ordinance, there is no anticipated future public need or use for the Public Utility Easement.
4. As set forth in this ordinance, abandonment of the Public Utility Easement will not impact access for all public utilities to serve current and future customers.

5. Electric infrastructure exists within the Public Utility Easement and the City has a continuing need for such infrastructure.

PART 2: That the Public Utility Easement as described in Exhibit "A" be abandoned and vacated by the City only upon completion of the following condition:

1. That the Applicant shall, upon completion of the removal and relocation of the electric infrastructure located within the Public Utility Easement, convey by separate instrument or plat to the City a public utility easement at the location of such relocated infrastructure, in a form acceptable to the City.

PASSED, ADOPTED and APPROVED this _____ day of _____, 2015

APPROVED:

NANCY BERRY, Mayor

ATTEST:

SHERRY MASHBURN, City Secretary

APPROVED:

City Attorney



Legislation Details (With Text)

File #: 15-0166 **Version:** 1 **Name:** 8500 Earl Rudder Freeway South Rezoning
Type: Rezoning **Status:** Agenda Ready
File created: 3/25/2015 **In control:** City Council Regular
On agenda: 4/9/2015 **Final action:**

Title: Public Hearing, presentation, possible action, and discussion regarding an ordinance amending Chapter 12, "Unified Development Ordinance," Section 12-4.2, "Official Zoning Map," of the Code of Ordinances of the City of College Station, Texas by changing the zoning district boundaries from GS General Suburban to GC General Commercial and NAP Natural Areas Protected for approximately 16 acres being the property situated in the Morgan Rector League Abstract Number 46, College Station Brazos County, Texas, being 0.248 and 1.237 acre tracts being portions of the remainder of a called 38.65-acre tract as described by a deed to Clint Albert Bertrand and Ruth Marie Porter Bertrand recorded in Volume 9862, Page 136 of the Official Public Records of Brazos County, Texas, a 3.922-acre portion of the remainder of a called 10.40-acre tract as described by a deed to Dan Clancy and Susan Clancy recorded in Volume 467, Page 314 of the Deed Records of Brazos County, Texas, a 4.799-acre being all of a called 4.802 acre tract as described by a deed to L.A. Ford, Jr. recorded in Volume 2532, Page 271 of the Official Public Records of Brazos County, Texas, and a 5.997-acre portion of the remainder of a called 10.40 acre tract as described by a deed to Dan Clancy and Susan Clancy recorded in Volume 467, Page 314 of the Deed Records of Brazos County, Texas, generally located at 8500 Earl Rudder Freeway South, more generally located at the northwest intersection of Harvey Mitchell Parkway South and Earl Rudder Freeway South.

Sponsors: Jessica Bullock

Indexes:

Code sections:

Attachments: [Background](#)
[Aerial and Small Area Map](#)
[Ordinance.pdf](#)

Date	Ver.	Action By	Action	Result
------	------	-----------	--------	--------

Public Hearing, presentation, possible action, and discussion regarding an ordinance amending Chapter 12, "Unified Development Ordinance," Section 12-4.2, "Official Zoning Map," of the Code of Ordinances of the City of College Station, Texas by changing the zoning district boundaries from GS General Suburban to GC General Commercial and NAP Natural Areas Protected for approximately 16 acres being the property situated in the Morgan Rector League Abstract Number 46, College Station Brazos County, Texas, being 0.248 and 1.237 acre tracts being portions of the remainder of a called 38.65-acre tract as described by a deed to Clint Albert Bertrand and Ruth Marie Porter Bertrand recorded in Volume 9862, Page 136 of the Official Public Records of Brazos County, Texas, a 3.922-acre portion of the remainder of a called 10.40-acre tract as described by a deed to Dan Clancy and Susan Clancy recorded in Volume 467, Page 314 of the Deed Records of Brazos County, Texas, a 4.799-acre being all of a called 4.802 acre tract as described by a deed to L.A. Ford, Jr. recorded in Volume 2532, Page 271 of the Official Public Records of Brazos County, Texas, and a 5.997-acre portion of the remainder of a called 10.40 acre tract as described by a deed to Dan Clancy and Susan Clancy recorded in Volume 467, Page 314 of the Deed Records of Brazos County, Texas, generally located at 8500 Earl Rudder Freeway South, more generally located at the northwest intersection of Harvey Mitchell Parkway South and Earl Rudder Freeway South.

Relationship to Strategic Goals: Diverse and Growing Economy

Recommendation(s): The Planning and Zoning Commission considered this item at their March 19, 2015 meeting and voted 4-0 to recommend approval of the rezoning. Staff also recommends approval with the condition that the impacts of any floodplain alterations be contained within the subject properties.

Summary: This request is to rezone the subject property from GS General Suburban to GC General Commercial and NAP Natural Areas Protected.

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

REVIEW CRITERIA

1. Consistency with the Comprehensive Plan: A Comprehensive Plan amendment was recently approved in December 2013 changing the designation from Suburban Commercial and Natural Areas Reserved to General Commercial and Natural Areas-Reserved. This rezoning is in compliance with the Comprehensive Plan Future Land Use and Character Map.

2. Compatibility with the present zoning and conforming uses of nearby property and with the character of the neighborhood:

The existing zoning of the property is GS General Suburban which is intended for single-family residential. This is not compatible with the existing zoning of nearby property which consists of Office, Urban, and General Commercial zoning districts. The property directly to the north is privately owned, zoned GS General Suburban and unplatted. The land north and northwest of that is land owned by the City of College Station, which is currently being used as parkland and greenway. There are no other single-family homes in the immediate area and the applicant believes it is unlikely they will develop. As this property is located near the intersection of two regionally significant roads (arterials and freeways), it is more suitable for GC General Commercial.

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 tracts are a suitable location for GC General Commercial. It is located with the entire frontage along a major arterial. It is a concentrated node and not spread out as a strip. It does not have existing surrounding single-family residential uses, although there is adjacent single-family zoned property, it is owned by the City of College Station. A portion of this property is undeveloped and planned for the Municipal Center District per the Comprehensive Plan while the other portion is parkland serving as Steven C. Beachy Central Park. According to the applicant, this zoning amendment will also promote private development in a distinct district bounded by Harvey Mitchell Parkway and the Bee Creek floodplain.

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 tracts, with its proximity to Earl Rudder Freeway South and Harvey Mitchell Parkway, are not highly suitable for single-family as there are no other single-family developments within the immediate vicinity. The land that is just north and northwest of the subject tracts is

zoned GS General Suburban, however is owned by the City of College Station and will not develop as single-family. The Comprehensive Plan also designates the area to the north as Natural Areas - Reserved.

5. Marketability of the property affected by the amendment for uses permitted by the district applicable to the property at the time of the proposed amendment:

The applicant has stated that the development of this project could potentially include the design of a hotel, restaurants, and/or a variety of retail stores. "The property is not of the size to handle a 'big box' retailer, so fears of 'big box' at this location are unfounded".

6. Availability of water, wastewater, stormwater, and transportation facilities generally suitable and adequate for the proposed use: Water service to the tract may be provided by existing 12- and 24-inch water mains running along the north side of Harvey Mitchell Parkway South. There is a proposed master waterline which will connect to the existing water main along Harvey Mitchell Parkway South and run north along the Earl Rudder Freeway South Frontage Road. Domestic and fire flow demands may necessitate future water main extensions at the time of site development. There is currently an 18-inch sanitary sewer main along the east side of the tract adjacent to the Earl Rudder Freeway South Frontage Road available to serve the property. The sanitary sewer master plan has identified this sanitary sewer line as needing to be upsized in the future. The proposed GC General Commercial zoning may create more intensity; however, preliminary analysis of the system has indicated that there is available capacity to serve this type of development.

The subject tract is located in the Bee Creek drainage basin and contains FEMA Special Flood Hazard Area. No mitigation or analysis has been submitted for the proposed floodplain encroachment to date. Development of the subject tract will be required to meet the City's "No Adverse Impact" requirements of the Flood Ordinance and B/CS Unified Storm Water Design Guidelines. Site development impacts on the drainage system will be evaluated further at that time.

Budget & Financial Summary: N/A

Attachments:

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

BACKGROUND INFORMATION

NOTIFICATIONS

Advertised Commission Hearing Date: March 19, 2015

Advertised Council Hearing Date: April 9, 2015

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

None

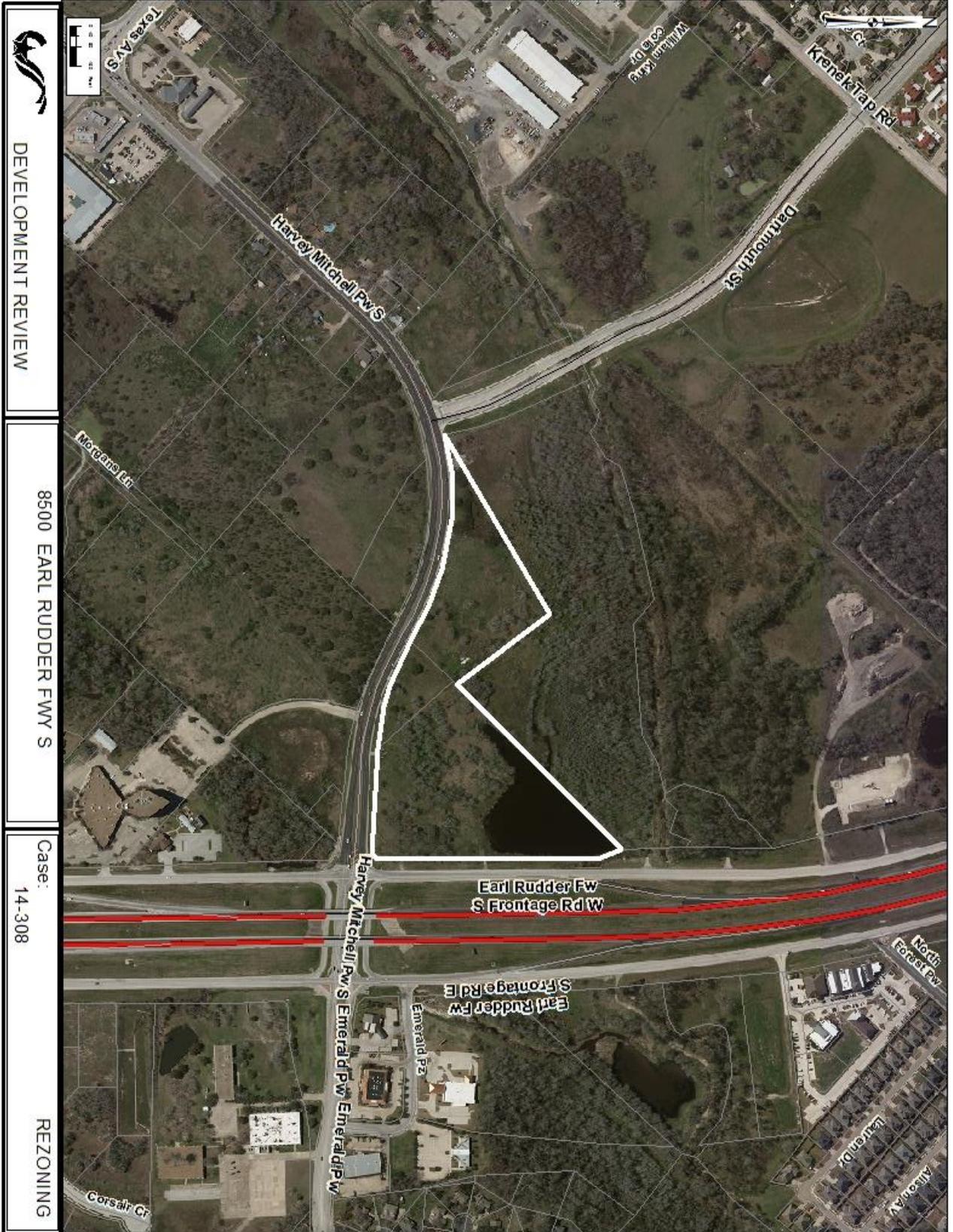
Property owner notices mailed: 13
Contacts in support: None
Contacts in opposition: None
Inquiry contacts: None

ADJACENT LAND USES

Direction	Comprehensive Plan	Zoning	Land Use
North	Natural Areas - Reserved	GS General Suburban	Vacant
South (across Harvey Mitchell Parkway)	Urban and Natural Areas-Reserved	O Office, P-MUD Planned Mixed Use District, T Townhome, and GC General Commercial with OV Corridor Overlay	Vacant
East (east of Earl Rudder Freeway South)	Natural Areas-Reserved and Suburban Commercial	O Office and GS General Suburban	Offices
West	Natural Areas-Reserved	GS General Suburban	Vacant

DEVELOPMENT HISTORY

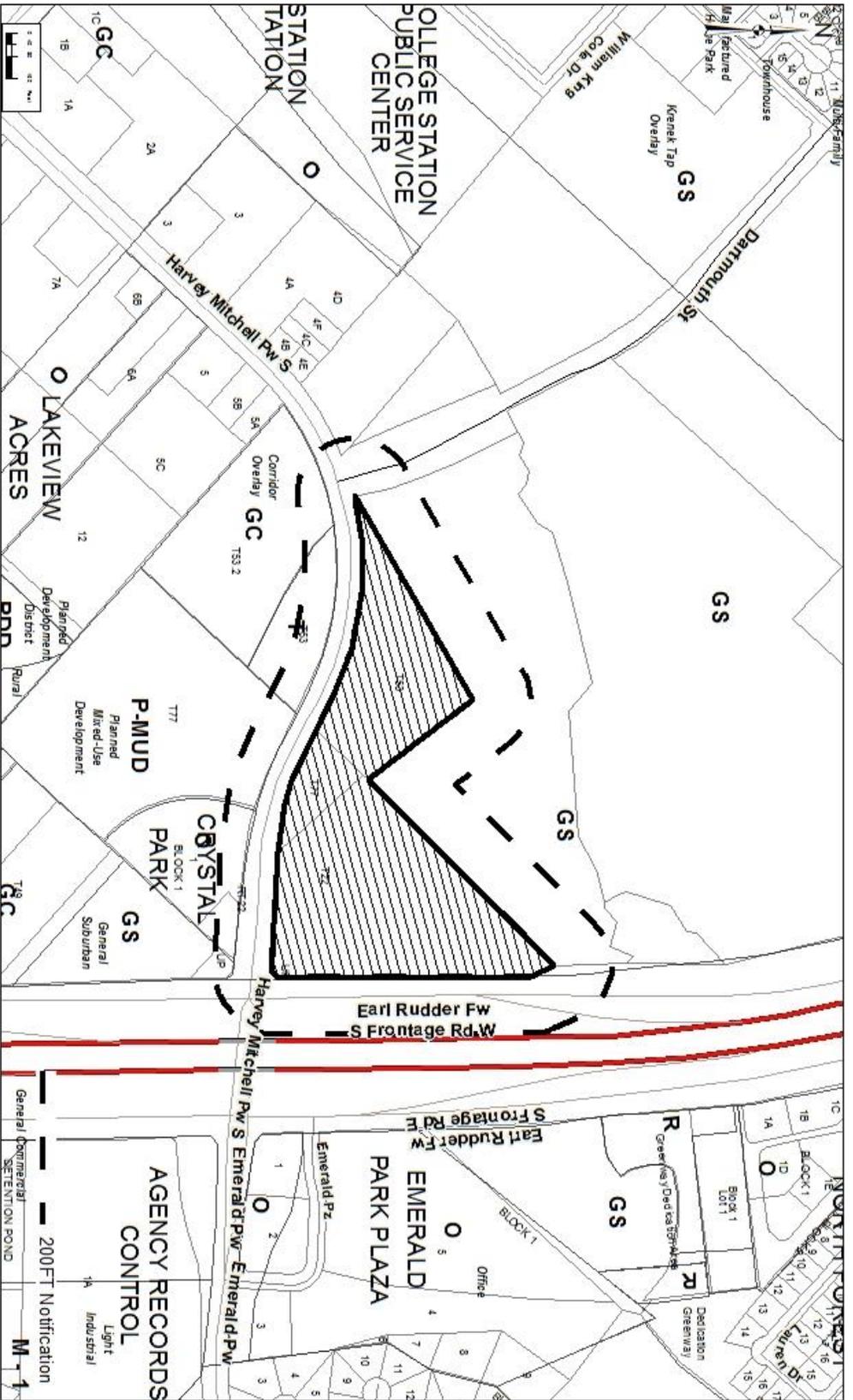
Annexation: 1971
Zoning: GS General Suburban (upon annexation)
Final Plat: Unplatted
Site development: Vacant




DEVELOPMENT REVIEW

8500 EARL RUDDER FW S

Case:
14-308
REZONING



Zoning Districts

R	Rural	R-4	Multi-Family	BPI	Business Park Industrial	PDD	Planned Development District
E	Estate	R-6	High Density Multi-Family	NAP	Natural Areas Protected	WPC	Wolf Pen Creek Dev. Corridor
RS	Restricted Suburban	MHP	Manufactured Home Park	C-3	Light Commercial	NG-1	Core Northgate
GS	General Suburban	O	Office	M-1	Light Industrial	NG-2	Transitional Northgate
R-1B	Single Family Residential	SC	Suburban Commercial	M-2	Heavy Industrial	NG-3	Residential Northgate
D	Duplex	GC	General Commercial	C-U	College and University	OV	Corridor Overlay
T	Townhouse	CI	Commercial Industrial	R & D	Research and Development	RDD	Redevelopment District
		BP	Business Park	P-AUD	Planned Mixed-Use Development	KO	Krenek Tap Overlay



DEVELOPMENT REVIEW

8500 EARL RUDDER FWY S

Case:
14-308

REZONING

ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 12, "UNIFIED DEVELOPMENT ORDINANCE," SECTION 12-4.2, "OFFICIAL ZONING MAP," OF THE CODE OF ORDINANCES OF THE CITY OF COLLEGE STATION, TEXAS, BY CHANGING THE ZONING DISTRICT BOUNDARIES FROM GS GENERAL SUBURBAN TO GC GENERAL COMMERCIAL AND NAP NATURAL AREAS PROTECTED FOR THE PROPERTY SITUATED IN THE MORGAN RECTOR LEAGUE ABSTRACT NUMBER 46, COLLEGE STATION BRAZOS COUNTY, TEXAS, BEING 0.248 AND 1.237 ACRE TRACTS BEING PORTIONS OF THE REMAINDER OF A CALLED 38.65-ACRE TRACT AS DESCRIBED BY A DEED TO CLINT ALBERT BERTRAND AND RUTH MARIE PORTER BERTRAND RECORDED IN VOLUME 9862, PAGE 136 OF THE OFFICIAL PUBLIC RECORDS OF BRAZOS COUNTY, TEXAS, A 3.922-ACRE PORTION OF THE REMAINDER OF A CALLED 10.40-ACRE TRACT AS DESCRIBED BY A DEED TO DAN CLANCY AND SUSAN CLANCY RECORDED IN VOLUME 467, PAGE 314 OF THE DEED RECORDS OF BRAZOS COUNTY, TEXAS, A 4.799-ACRE BEING ALL OF A CALLED 4.802 ACRE TRACT AS DESCRIBED BY A DEED TO L.A. FORD, JR. RECORDED IN VOLUME 2532, PAGE 271 OF THE OFFICIAL PUBLIC RECORDS OF BRAZOS COUNTY, TEXAS, AND A 5.997-ACRE PORTION OF THE REMAINDER OF A CALLED 10.40 ACRE TRACT AS DESCRIBED BY A DEED TO DAN CLANCY AND SUSAN CLANCY RECORDED IN VOLUME 467, PAGE 314 OF THE DEED RECORDS OF BRAZOS COUNTY, TEXAS, GENERALLY LOCATED AT 8500 EARL RUDDER FREEWAY SOUTH, MORE GENERALLY LOCATED AT THE NORTHWEST INTERSECTION OF HARVEY MITCHELL PARKWAY SOUTH AND EARL RUDDER FREEWAY SOUTH; 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 12-4.2, "Official Zoning Map," of the Code of Ordinances of the City of College Station, Texas, be amended as set out in Exhibit "A" and Exhibit "B", and as shown graphically in Exhibit "C", 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 9th day of April, 2015

ATTEST:

APPROVED:

City Secretary

MAYOR

ORDINANCE NO. _____

Page 2

APPROVED:

City Attorney

EXHIBIT "A"

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

The following properties are described by the legal description are rezoned from GS General Suburban to GC General Commercial with the condition that the impacts of any floodplain alterations be contained within the subject properties:

**METES AND BOUNDS DESCRIPTION
OF A
1.237 ACRE TRACT
MORGAN RECTOR LEAGUE, A-46
COLLEGE STATION, BRAZOS COUNTY, TEXAS**

METES AND BOUNDS DESCRIPTION OF ALL THAT CERTAIN TRACT OF LAND LYING AND BEING SITUATED IN THE MORGAN RECTOR LEAGUE, ABSTRACT NO. 46, COLLEGE STATION, BRAZOS COUNTY, TEXAS. SAID TRACT BEING A PORTION OF THE REMAINDER OF A CALLED 38.65 ACRE TRACT AS DESCRIBED BY A DEED TO CLINT ALBERT BERTRAND AND RUTH MARIE PORTER BERTRAND RECORDED IN VOLUME 9862, PAGE 136 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 ON THE NORTH LINE OF FM 2818 (HARVEY MITCHELL PARKWAY) MARKING THE WEST CORNER OF SAID PORTION OF REMAINDER OF 38.65 ACRE TRACT AND THE SOUTHEAST CORNER OF A CALLED 4.802 ACRE TRACT AS DESCRIBED BY A DEED TO L. A. FORD, JR. RECORDED IN VOLUME 2532, PAGE 271 OF THE OFFICIAL PUBLIC RECORDS OF BRAZOS COUNTY, TEXAS;

THENCE: N 43° 06' 07" E ALONG THE COMMON LINE OF SAID REMAINDER OF 38.65 ACRE TRACT AND SAID 4.802 ACRE TRACT FOR A DISTANCE OF 227.91 FEET TO THE WEST CORNER OF THE REMAINDER OF A CALLED 10.40 ACRE TRACT AS DESCRIBED BY A DEED TO DAN CLANCY AND SUSAN CLANCY RECORDED IN VOLUME 467, PAGE 314 OF THE DEED RECORDS OF BRAZOS COUNTY, TEXAS, FOR REFERENCE A 1/2 INCH IRON ROD FOUND MARKING THE EAST CORNER OF SAID 4.802 ACRE TRACT BEARS: N 43° 06' 07" E FOR A DISTANCE OF 18.94 FEET;

THENCE: S 42° 07' 58" E ALONG THE COMMON LINE OF SAID REMAINDER OF 38.65 ACRE TRACT AND SAID REMAINDER OF 10.40 ACRE TRACT FOR A DISTANCE OF 402.85 FEET TO THE NORTH LINE OF FM 2818 MARKING THE WEST CORNER OF THIS HEREIN DESCRIBED TRACT;

THENCE: ALONG THE NORTH LINE OF FM 2818 FOR THE FOLLOWING CALLS:

N 86° 56' 22" W FOR A DISTANCE OF 13.94 FEET TO THE BEGINNING OF A CLOCKWISE CURVE HAVING A RADIUS OF 820.41 FEET;

ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 23° 56' 30" FOR AN ARC DISTANCE OF 342.82 FEET (CHORD BEARS: N 74° 52' 43" W - 340.33 FEET) TO A CONCRETE RIGHT-OF-WAY MARKER FOUND MARKING THE END OF SAID CURVE;

N 62° 51' 07" W FOR A DISTANCE OF 93.85 FEET TO THE **POINT OF BEGINNING** CONTAINING 1.237 ACRES OF LAND, MORE OF LESS, AS SURVEYED ON THE GROUND. BEARING SYSTEM SHOWN HEREIN IS BASED ON GRID NORTH AS ESTABLISHED FROM GPS OBSERVATION.

BRAD KERR
REGISTERED PROFESSIONAL
LAND SURVEYOR No. 4502

D:/WORK/MAB/14-582B.MAB



**METES AND BOUNDS DESCRIPTION
OF A
0.248 ACRE TRACT
MORGAN RECTOR LEAGUE, A-46
COLLEGE STATION, BRAZOS COUNTY, TEXAS**

METES AND BOUNDS DESCRIPTION OF ALL THAT CERTAIN TRACT OF LAND LYING AND BEING SITUATED IN THE MORGAN RECTOR LEAGUE, ABSTRACT NO. 46, COLLEGE STATION, BRAZOS COUNTY, TEXAS. SAID TRACT BEING A PORTION OF THE REMAINDER OF A CALLED 38.65 ACRE TRACT AS DESCRIBED BY A DEED TO CLINT ALBERT BERTRAND AND RUTH MARIE PORTER BERTRAND RECORDED IN VOLUME 9862, PAGE 136 OF THE OFFICIAL PUBLIC RECORDS OF BRAZOS COUNTY, TEXAS.

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

BEGINNING AT A CONCRETE RIGHT-OF-WAY MARKER FOUND ON THE WEST LINE OF STATE HIGHWAY NO. 6 (VARIABLE WIDTH R.O.W.) MARKING THE SOUTHEAST CORNER OF SAID PORTION OF REMAINDER OF 38.65 ACRE TRACT;

THENCE: S 48° 01' 48" W ALONG A TRANSITION LINE BETWEEN SAID WEST LINE OF STATE HIGHWAY NO. 6 AND THE NORTH LINE OF FM 2818 (HARVEY MITCHELL PARKWAY) FOR A DISTANCE OF 35.39 FEET TO THE NORTH LINE OF FM 2818, FOR REFERENCE A CONCRETE RIGHT-OF-WAY MARKER FOUND BEARS: S 68° 27' 56" E FOR A DISTANCE OF 0.56 FEET;

THENCE: N 86° 56' 22" W ALONG THE NORTH LINE OF FM 2818 FOR A DISTANCE OF 123.26 FEET TO THE SOUTHEAST LINE OF THE REMAINDER OF A CALLED 10.40 ACRE TRACT AS DESCRIBED BY A DEED TO DAN CLANCY AND SUSAN CLANCY RECORDED IN VOLUME 467, PAGE 314 OF THE DEED RECORDS OF BRAZOS COUNTY, TEXAS;

THENCE: N 46° 27' 53" E ALONG THE COMMON LINE OF SAID PORTION OF REMAINDER OF 38.65 ACRE TRACT AND SAID REMAINDER OF 10.40 ACRE TRACT FOR A DISTANCE OF 205.03 FEET TO THE WEST LINE OF STATE HIGHWAY NO. 6;

THENCE: S 00° 21' 00" E ALONG THE WEST LINE OF STATE HIGHWAY NO. 6 FOR A DISTANCE OF 124.14 FEET TO THE **POINT OF BEGINNING** CONTAINING 0.248 OF AN ACRE OF LAND, MORE OF LESS, AS SURVEYED ON THE GROUND. BEARING SYSTEM SHOWN HEREIN IS BASED ON GRID NORTH AS ESTABLISHED FROM GPS OBSERVATION.

BRAD KERR
REGISTERED PROFESSIONAL
LAND SURVEYOR No. 4502

D:/WORK/MAB/14-582A.MAB



METES AND BOUNDS DESCRIPTION
OF A
5.997 ACRE TRACT
MORGAN RECTOR LEAGUE, A-46
COLLEGE STATION, BRAZOS COUNTY, TEXAS

METES AND BOUNDS DESCRIPTION OF ALL THAT CERTAIN TRACT OF LAND LYING AND BEING SITUATED IN THE MORGAN RECTOR LEAGUE, ABSTRACT NO. 46, COLLEGE STATION, BRAZOS COUNTY, TEXAS. SAID TRACT BEING A PORTION OF THE REMAINDER OF A CALLED 10.40 ACRE TRACT AS DESCRIBED BY A DEED TO DAN CLANCY AND SUSAN CLANCY RECORDED IN VOLUME 467, PAGE 314 OF THE DEED RECORDS OF BRAZOS COUNTY, TEXAS.

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

BEGINNING AT THE WEST CORNER OF SAID REMAINDER OF 10.40 ACRE TRACT ON THE SOUTHEAST LINE OF A CALLED 4.802 ACRE TRACT AS DESCRIBED BY A DEED TO L. A. FORD, JR. RECORDED IN VOLUME 2532, PAGE 271 OF THE OFFICIAL PUBLIC RECORDS OF BRAZOS COUNTY, TEXAS, SAID POINT BEING THE NORTH CORNER OF A PORTION OF THE REMAINDER OF A CALLED 38.65 ACRE TRACT AS DESCRIBED BY A DEED TO CLINT ALBERT BERTRAND AND RUTH MARIE PORTER BERTRAND RECORDED IN VOLUME 9862, PAGE 136 OF THE OFFICIAL PUBLIC RECORDS OF BRAZOS COUNTY, TEXAS;

THENCE: N 43° 06' 07" E ALONG THE COMMON LINE OF SAID REMAINDER OF 10.40 ACRE TRACT AND SAID 4.802 ACRE TRACT FOR A DISTANCE OF 18.94 FEET TO A 1/2 INCH IRON ROD FOUND MARKING THE EAST CORNER OF SAID 4.802 ACRE TRACT;

THENCE: N 43° 25' 12" E ALONG THE NORTHWEST LINE OF SAID REMAINDER OF 10.40 ACRE TRACT, SAME BEING THE SOUTHEAST LINE OF A CALLED 20.40 ACRE TRACT AS DESCRIBED BY A DEED TO SHABEER JAFFAR RECORDED IN VOLUME 6058, PAGE 62 OF THE OFFICIAL PUBLIC RECORDS OF BRAZOS COUNTY, TEXAS, FOR A DISTANCE OF 169.16 FEET TO THE NORTHWEST CORNER OF THIS HEREIN DESCRIBED TRACT,

THENCE: THROUGH SAID REMAINDER OF 10.40 ACRE TRACT FOR THE FOLLOWING CALLS:

S 51° 40' 29" E FOR A DISTANCE OF 60.97 FEET;

N 53° 04' 47" E FOR A DISTANCE OF 128.91 FEET;

S 84° 16' 41" E FOR A DISTANCE OF 233.90 FEET

S 55° 33' 03" E FOR A DISTANCE OF 54.30 FEET;

N 77° 34' 24" E FOR A DISTANCE OF 157.00 FEET TO THE WEST LINE OF STATE HIGHWAY NO. 6 MARKING THE NORTHEAST CORNER OF THIS HEREIN DESCRIBED TRACT,

THENCE: S 00° 21' 00" E ALONG THE WEST LINE OF STATE HIGHWAY NO. 6 FOR A DISTANCE OF 329.32 FEET TO THE COMMON LINE OF SAID REMAINDER OF 10.40 ACRE TRACT AND ANOTHER PORTION OF THE REMAINDER OF SAID 38.65 ACRE TRACT;

THENCE: S 46° 27' 53" W ALONG THE COMMON LINE OF SAID REMAINDER OF 10.40 ACRE TRACT AND SAID SECOND PORTION OF REMAINDER OF 38.65 ACRE TRACT FOR A DISTANCE OF 205.03 FEET TO THE NORTH LINE OF FM 2818 (HARVEY MITCHELL PARKWAY) MARKING THE SOUTHEAST CORNER OF THIS HEREIN DESCRIBED TRACT;

THENCE: N 86° 56' 22" W ALONG THE NORTH LINE OF FM 2818 FOR A DISTANCE OF 294.48 FEET TO THE COMMON LINE OF SAID REMAINDER OF 10.40 ACRE TRACT AND SAID FIRST PORTION OF REMAINDER OF 38.65 ACRE TRACT MARKING THE SOUTHWEST CORNER OF THIS HEREIN DESCRIBED TRACT;

THENCE: N 42° 07' 58" W ALONG THE COMMON LINE OF SAID REMAINDER OF 10.40 ACRE TRACT AND SAID FIRST PORTION OF REMAINDER OF 38.65 ACRE TRACT FOR A DISTANCE OF 402.85 FEET TO THE POINT OF BEGINNING CONTAINING 5.997 ACRES OF LAND, MORE OR LESS, AS SURVEYED ON THE GROUND. BEARING SYSTEM SHOWN HEREIN IS BASED ON GRID NORTH AS ESTABLISHED FROM GPS OBSERVATION.

BRAD KERR
REGISTERED PROFESSIONAL
LAND SURVEYOR No. 4502

D:/WORK/MAB/14-582D.MAB



**METES AND BOUNDS DESCRIPTION
OF A
4.799 ACRE TRACT
MORGAN RECTOR LEAGUE, A-46
COLLEGE STATION, BRAZOS COUNTY, TEXAS**

METES AND BOUNDS DESCRIPTION OF ALL THAT CERTAIN TRACT OF LAND LYING AND BEING SITUATED IN THE MORGAN RECTOR LEAGUE, ABSTRACT NO. 46, COLLEGE STATION, BRAZOS COUNTY, TEXAS. SAID TRACT BEING ALL OF A CALLED 4.802 ACRE TRACT AS DESCRIBED BY A DEED TO L. A. FORD, JR. RECORDED IN VOLUME 2532, PAGE 271 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 ON THE NORTH LINE OF FM 2818 (HARVEY MITCHELL PARKWAY) MARKING THE EAST CORNER OF SAID 4.802 ACRE TRACT;

THENCE: N 60° 14' 41" E ALONG THE NORTHWEST LINE OF SAID 4.802 ACRE TRACT, SAME BEING THE SOUTHEAST LINE OF A CALLED 30' WIDE PUBLIC ROAD AS DESCRIBED IN VOLUME 157, PAGE 417 OF THE DEED RECORDS OF BRAZOS COUNTY, TEXAS, FOR A DISTANCE OF 762.06 FEET TO A 1/2 INCH IRON ROD FOUND MARKING THE NORTH CORNER OF THIS HEREIN DESCRIBED TRACT;

THENCE: S 37° 05' 23" E ALONG THE NORTHEAST LINE OF SAID 4.802 ACRE TRACT, SAME BEING A SOUTHWEST LINE OF SAID PUBLIC ROAD, FOR A DISTANCE OF 434.65 FEET TO A 1/2 INCH IRON ROD FOUND ON THE NORTHWEST LINE OF THE REMAINDER OF A CALLED 10.40 ACRE TRACT AS DESCRIBED BY A DEED TO DAN CLANCY AND SUSAN CLANCY RECORDED IN VOLUME 467, PAGE 314 OF THE DEED RECORDS OF BRAZOS COUNTY, TEXAS, MARKING THE WEST CORNER OF THIS HEREIN DESCRIBED TRACT;

THENCE: S 43° 06' 07" W ALONG THE COMMON LINE OF SAID 4.802 ACRE TRACT AND SAID REMAINDER OF 10.40 ACRE TRACT, AT 18.94 FEET PASS THE NORTH CORNER OF THE REMAINDER OF A CALLED 38.65 ACRE TRACT AS DESCRIBED BY A DEED TO CLINT ALBERT BERTRAND AND RUTH MARIE PORTER BERTRAND RECORDED IN VOLUME 9862, PAGE 136 OF THE OFFICIAL PUBLIC RECORDS OF BRAZOS COUNTY, TEXAS, CONTINUE ON FOR A TOTAL DISTANCE OF 246.84 FEET TO A 1/2 INCH IRON ROD FOUND ON THE NORTH LINE OF FM 2818 MARKING THE SOUTH CORNER OF THIS HEREIN DESCRIBED TRACT;

THENCE: ALONG THE NORTH LINE OF FM 2818 FOR THE FOLLOWING CALLS:

N 62° 51' 07" W FOR A DISTANCE OF 108.53 FEET TO THE BEGINNING OF A COUNTERCLOCKWISE CURVE HAVING A RADIUS OF 1045.00 FEET, FOR REFERENCE A CONCRETE RIGHT-OF-WAY MARKER FOUND BEARS: N 62° 51' 07" W FOR A DISTANCE OF 0.54 FEET;

ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 37° 09' 29" FOR AN ARC DISTANCE OF 677.71 FEET (CHORD BEARS: N 81° 25' 52" W - 665.90 FEET) TO THE **POINT OF BEGINNING** CONTAINING 4.799 ACRES OF LAND, MORE OR LESS, AS SURVEYED ON THE GROUND. BEARING SYSTEM SHOWN HEREIN IS BASED ON GRID NORTH AS ESTABLISHED FROM GPS OBSERVATION. .

BRAD KERR
REGISTERED PROFESSIONAL
LAND SURVEYOR No. 4502

D:/WORK/MAB/14-582C.MAB



EXHIBIT “B”

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

The following properties are described by the legal description are rezoned from GS General Suburban to NAP Natural Areas Protected with the condition that the impacts of any floodplain alterations be contained within the subject properties:

**METES AND BOUNDS DESCRIPTION
OF A
3.922 ACRE TRACT
MORGAN RECTOR LEAGUE, A-46
COLLEGE STATION, BRAZOS COUNTY, TEXAS**

METES AND BOUNDS DESCRIPTION OF ALL THAT CERTAIN TRACT OF LAND LYING AND BEING SITUATED IN THE MORGAN RECTOR LEAGUE, ABSTRACT NO. 46, COLLEGE STATION, BRAZOS COUNTY, TEXAS. SAID TRACT BEING A PORTION OF THE REMAINDER OF A CALLED 10.40 ACRE TRACT AS DESCRIBED BY A DEED TO DAN CLANCY AND SUSAN CLANCY RECORDED IN VOLUME 467, PAGE 314 OF THE DEED 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 NORTHWEST LINE OF SAID REMAINDER OF 10.40 ACRE TRACT MARKING THE EAST CORNER OF A CALLED 4.802 ACRE TRACT AS DESCRIBED BY A DEED TO L. A. FORD, JR. RECORDED IN VOLUME 2532, PAGE 271 OF THE OFFICIAL PUBLIC RECORDS OF BRAZOS COUNTY, TEXAS;

THENCE: N 43° 25' 12" E ALONG THE NORTHWEST LINE OF SAID REMAINDER OF 10.40 ACRE TRACT, SAME BEING THE SOUTHEAST LINE OF A CALLED 20.40 ACRE TRACT AS DESCRIBED BY A DEED TO SHABEER JAFFAR RECORDED IN VOLUME 6058, PAGE 62 OF THE OFFICIAL PUBLIC RECORDS OF BRAZOS COUNTY, TEXAS, FOR A DISTANCE OF 169.16 FEET TO THE **POINT OF BEGINNING** OF THIS HEREIN DESCRIBED TRACT;

THENCE: N 43° 25' 12" E CONTINUING ALONG THE COMMON LINE OF SAID REMAINDER OF 10.40 ACRE TRACT AND SAID 20.40 ACRE TRACT FOR A DISTANCE OF 826.83 FEET TO THE WEST LINE OF STATE HIGHWAY NO. 6 MARKING THE NORTH CORNER OF SAID REMAINDER OF 10.40 ACRE TRACT;

THENCE: S 04° 12' 24" E ALONG THE WEST LINE OF STATE HIGHWAY NO. 6 FOR A DISTANCE OF 146.56 FEET TO AN ANGLE POINT IN SAID LINE;

THENCE: S 00° 21' 00" E CONTINUING ALONG THE WEST LINE OF STATE HIGHWAY NO. 6 FOR A DISTANCE OF 435.02 FEET TO THE SOUTHEAST CORNER OF THIS HEREIN DESCRIBED TRACT;

THENCE: THROUGH SAID REMAINDER OF 10.40 ACRE TRACT FOR THE FOLLOWING CALLS:

S 77° 34' 24" W FOR A DISTANCE OF 157.00 FEET;

N 55° 33' 03" W FOR A DISTANCE OF 54.30 FEET;

N 84° 16' 41" W FOR A DISTANCE OF 233.90 FEET

S 53° 04' 47" W FOR A DISTANCE OF 128.91 FEET;

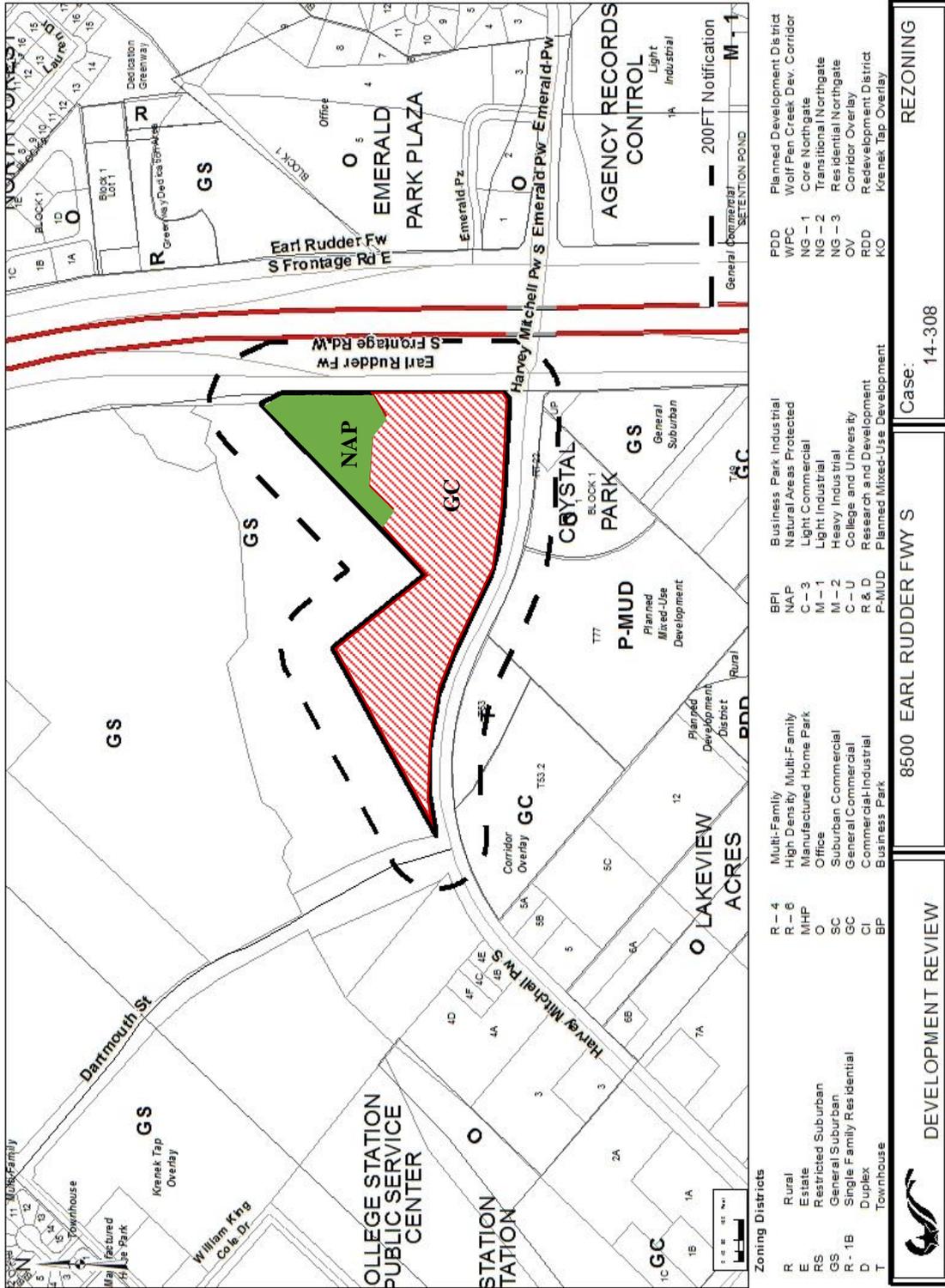
N 51° 40' 29" W FOR A DISTANCE OF 60.97 FEET TO THE **POINT OF BEGINNING** CONTAINING 3.922 ACRES OF LAND, MORE OF LESS, AS SURVEYED ON THE GROUND. BEARING SYSTEM SHOWN HEREIN IS BASED ON GRID NORTH AS ESTABLISHED FROM GPS OBSERVATION.

BRAD KERR
REGISTERED PROFESSIONAL
LAND SURVEYOR No. 4502

D:/WORK/MAB/14-582E.MAB



EXHIBIT "C"





Legislation Details (With Text)

File #:	15-0167	Version:	1	Name:	Brentwood Extension -Conditional Use Permit
Type:	Rezoning	Status:		Status:	Agenda Ready
File created:	3/25/2015	In control:		In control:	City Council Regular
On agenda:	4/9/2015	Final action:		Final action:	
Title:	Public Hearing, presentation, possible action, and discussion regarding an ordinance amending Chapter 12, "Unified Development Ordinance", Section 12-3.16, "Development Review Procedures, Conditional Use Permit", of the Code of Ordinances of the City of College Station, Texas, by allowing a conditional use permit for the use of a major wireless telecommunications facility affecting approximately 0.0148 acres at Southwest Place, Block 1, Lot 2a-1b, generally located at 2504 Texas Avenue South, more generally located near the southwest corner of Texas Avenue South and Southwest Parkway.				
Sponsors:	Mark Bombek				
Indexes:					
Code sections:					
Attachments:	Background Sams and Aerials Ordinance CUP 3-27-15.pdf				

Date	Ver.	Action By	Action	Result
------	------	-----------	--------	--------

Public Hearing, presentation, possible action, and discussion regarding an ordinance amending Chapter 12, "Unified Development Ordinance", Section 12-3.16, "Development Review Procedures, Conditional Use Permit", of the Code of Ordinances of the City of College Station, Texas, by allowing a conditional use permit for the use of a major wireless telecommunications facility affecting approximately 0.0148 acres at Southwest Place, Block 1, Lot 2a-1b, generally located at 2504 Texas Avenue South, more generally located near the southwest corner of Texas Avenue South and Southwest Parkway.

Relationship to Strategic Goals: Diverse Growing Economy

Recommendation(s): The Planning and Zoning Commission considered this item at their March 20, 2015 meeting and voted 4-0 to recommend approval of the Conditional Use Permit. Staff also recommends approval.

Summary: This request is for a conditional use permit - use and site to extend an existing 35-foot tall wireless telecommunications tower to a new height of 70-feet.

The Unified Development Ordinance provides the following review criteria for conditional use permits:

REVIEW CRITERIA

- 1. The proposed use shall meet the purpose and intent of the Unified Development Ordinance (UDO) and meet all minimum standards for this type of use per the UDO.**
The applicant has met all minimum standards per the UDO for a major wireless

telecommunications tower. The proposal is to extend an existing tower to allow for improved range and service availability related to cellular telecommunications. The tower extension will be constructed to allow for collocation of other telecommunications providers.

2. **The proposed use shall be consistent with the development policies and goals and objectives as embodied in the Comprehensive Plan for development in the City.** The subject tract is shown on the Comprehensive Plan Future Land Use and Character Map as General Commercial. This land use designation is generally for areas that include services for the entire community and its visitors. Enhancing the capability and functionality of an existing service would be meeting the intentions outlined within the Comprehensive Plan.
3. **The proposed use shall not be detrimental to the health, welfare, or safety of the surrounding neighborhood or its occupants, not be substantially or permanently injurious to neighboring property.** The applicant is looking to improve overall coverage including indoor coverage and adding capacity to prevent dropped calls. It is approximately 256 feet away from neighboring R-6 High Density Multi-family zoning and 220 feet from the commercial structures to the north. These distances exceed the minimum requirements of the UDO.
4. **The proposed site plan and circulation plan shall be harmonious with the character of the surrounding area.** The proposed tower is located approximately 455 feet from Texas Avenue with the base being screened by a 6-foot fence. Access is taken from an existing driveway on the site. It is located in a GC General Commercial zoning district allowing it to be harmonious with the character of what would be permitted in the immediate surrounding area.
5. **The proposed use shall not negatively impact existing uses in the area or in the City through impacts on public infrastructure such as roads, parking facilities, electrical, or water and sewer systems, or on public services such as police and fire protection, solid waste collection, or the ability of existing infrastructure and services to adequately provide services.** The proposed tower will be an unmanned facility which will not require either water or wastewater service. The tower will have minimal impact on the surrounding infrastructure or public services.
6. **The proposed use shall not negatively impact existing uses in the area or in the City.** The GC General Commercial zoning district provides land for a multitude of retail, and sales services to meet the needs of the entire community. The tower extension is not expected to negatively impact the existing uses in the area, but is working to improve conditions related to cellular communication services and availability.

Budget & Financial Summary: N/A

Reviewed and Approved by Legal: Yes

Attachments:

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

NOTIFICATIONS

Advertised Commission Hearing Date: March 19, 2015
Advertised Council Hearing Date: April 9, 2015

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

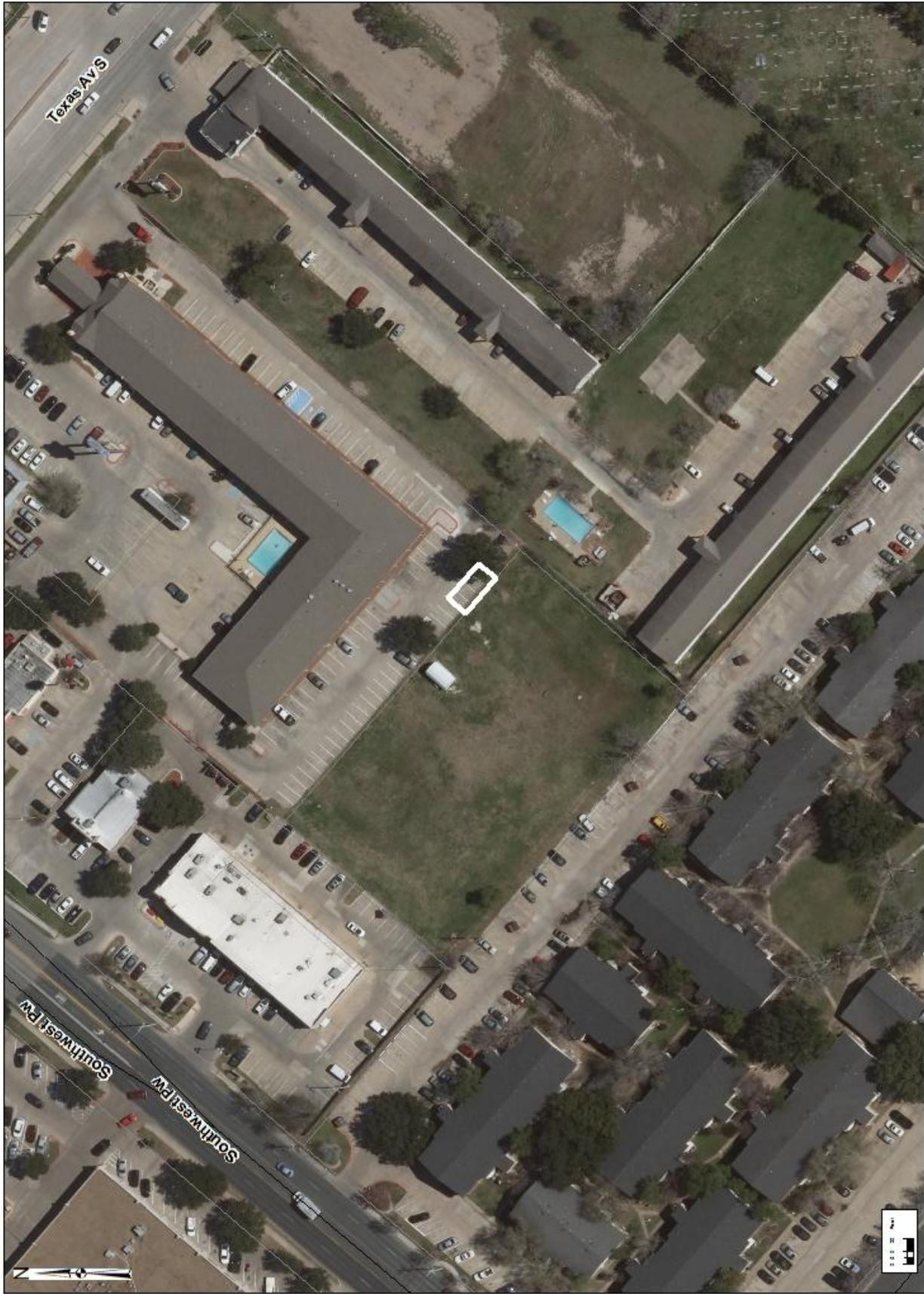
None
Property owner notices mailed: Five
Contacts in support: None
Contacts in opposition: None
Inquiry contacts: None

ADJACENT LAND USES

Direction	Comprehensive Plan	Zoning	Land Use
North	General Commercial	GC General Commercial	Retail/Restaurant
South	General Commercial	GC General Commercial	Hotel
East (across Texas Ave)	Urban	GC General Commercial	Retail Shopping Center- Park Place Plaza
West	General Commercial	GC General Commercial	Vacant

DEVELOPMENT HISTORY

Annexation: May 1969
Zoning: District No. 1 First Dwelling House District (1969)
District No. 4 First Business District (1971)
GC General Commercial
Final Plat: June 1982
Site development: Hotel



CONDITIONAL USE

Case: 15-35

BRENTWOOD EXTENSION

DEVELOPMENT REVIEW



ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 12, "UNIFIED DEVELOPMENT ORDINANCE", SECTION 12-3.16, "DEVELOPMENT REVIEW PROCEDURES, CONDITIONAL USE PERMIT", OF THE CODE OF ORDINANCES OF THE CITY OF COLLEGE STATION, TEXAS, TO PERMIT THE USE OF A MAJOR WIRELESS TELECOMMUNICATIONS FACILITY AFFECTING APPROXIMATELY 0.0148 ACRES AT SOUTHWEST PLACE, BLOCK 1, LOT 2A-1B. GENERALLY LOCATED AT 2504 TEXAS AVENUE SOUTH, MORE GENERALLY LOCATED NEAR THE SOUTHWEST CORNER OF TEXAS AVENUE SOUTH AND SOUTHWEST PARKWAY; 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 12-3.16, "Development Review Procedures, Conditional Use Permit", of the Code of Ordinances of the City of College Station, Texas, be amended as set out in Exhibit "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 9th day of April 2015.

ATTEST:

APPROVED:

City Secretary

Mayor

APPROVED:

Ordinance No. _____
Conditional Use Permit

City Attorney

EXHIBIT "A"

That the Official Zoning Map of the City of College Station, Section 12-3.16, "Development Review Procedures, Conditional Use Permit", of Chapter 12, "Unified Development Ordinance", is hereby amended as follows:

That a Conditional Use Permit is hereby granted for a major wireless telecommunications facility as provided for in Chapter 12, "Unified Development Ordinance", Section 12-3.16, "Development Review Procedures, Conditional Use Permit", of the Code of Ordinances of the City of College Station. The property located at 2504 Texas Avenue South is granted a Conditional Use Permit for a 70-foot tall wireless telecommunications facility on a 0.0148 acres. The site plan is approved as shown in exhibits "C", and "D".

EXHIBIT "B"

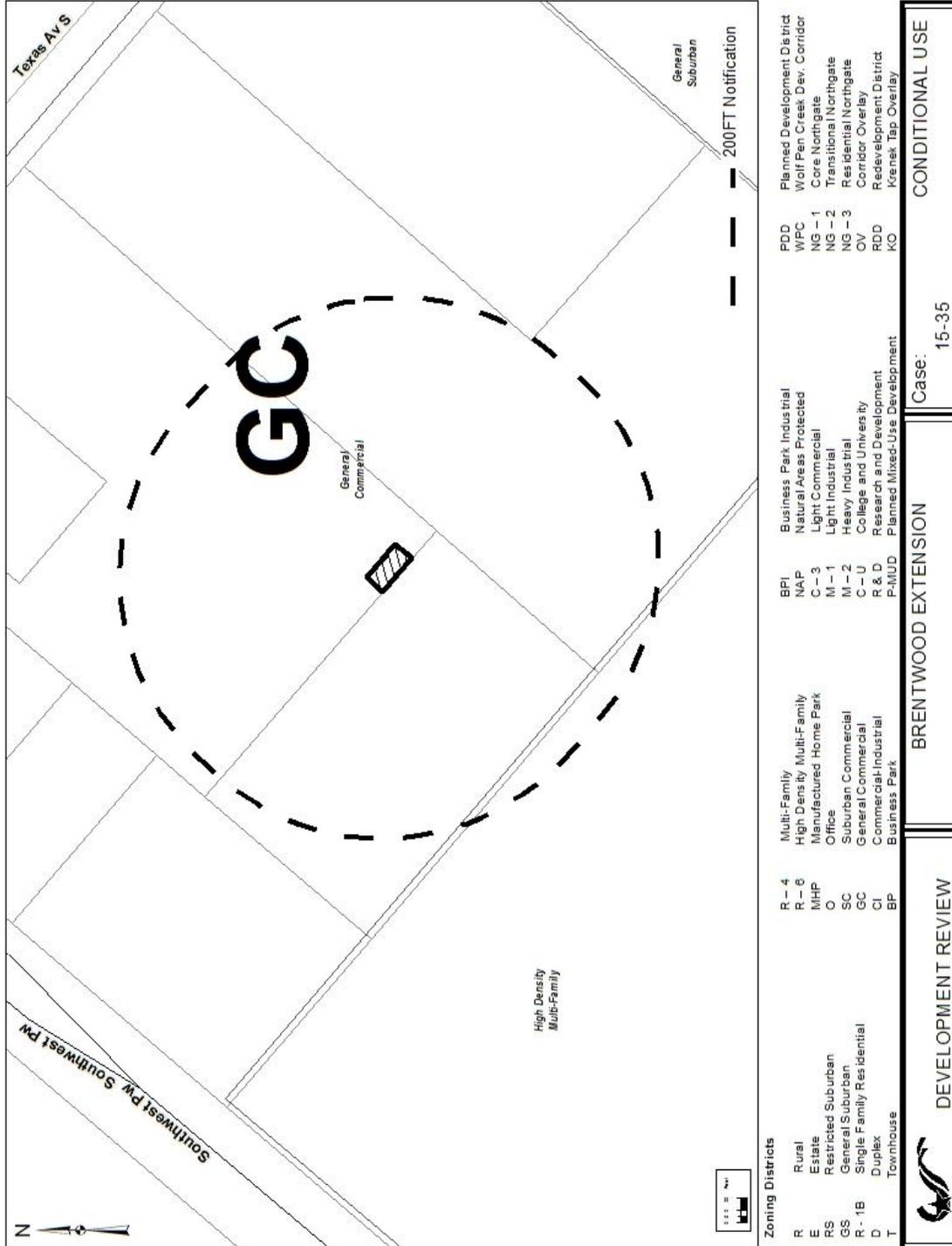


EXHIBIT "C"

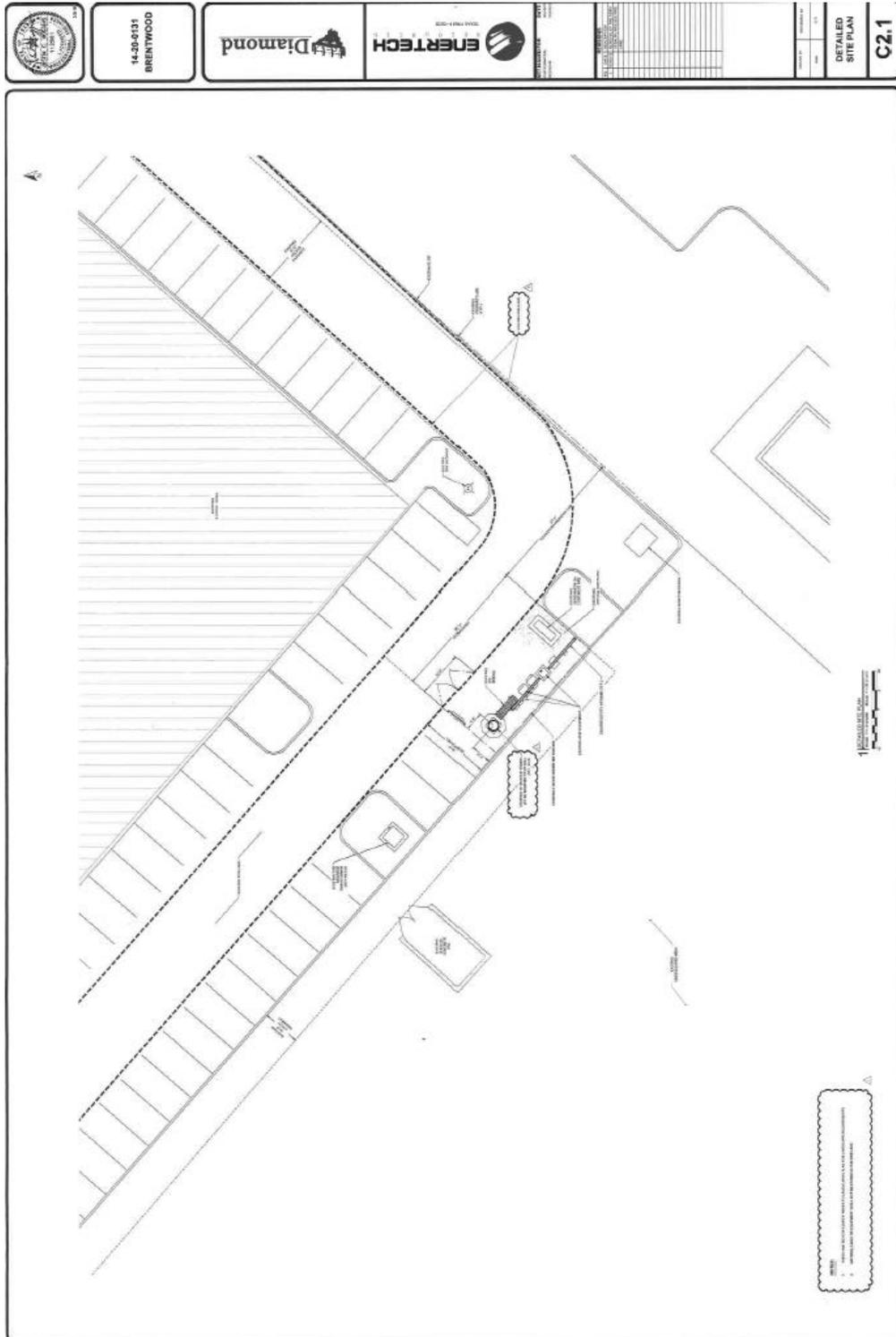
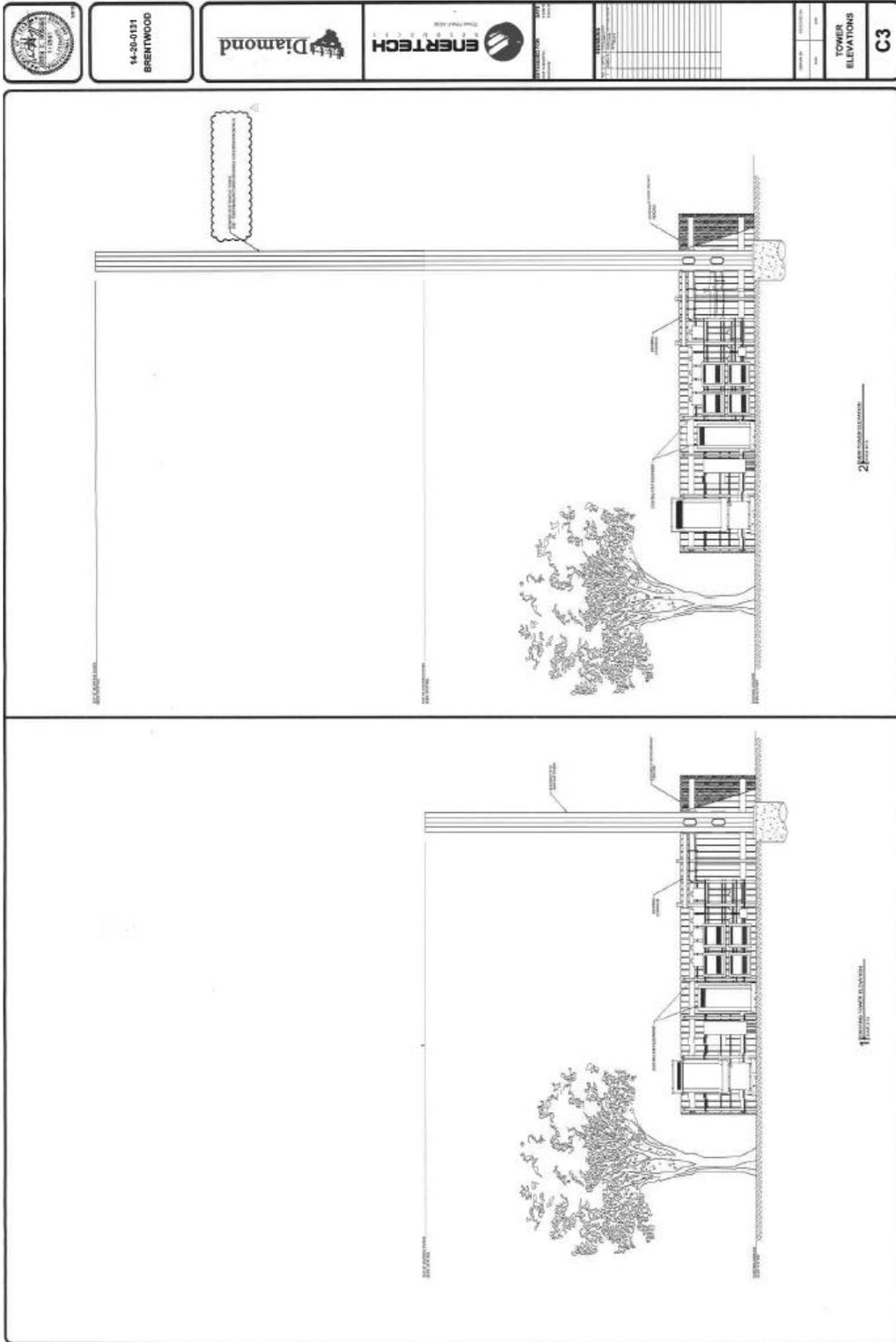


EXHIBIT "D"





Legislation Details (With Text)

File #: 15-0169 **Version:** 1 **Name:** Capstone Development PDD Rezoning

Type: Rezoning **Status:** Agenda Ready

File created: 3/25/2015 **In control:** City Council Regular

On agenda: 4/9/2015 **Final action:**

Title: Public Hearing, presentation, possible action, and discussion regarding an ordinance amending Chapter 12, "Unified Development Ordinance," Section 12-4.2, "Official Zoning Map," of the Code of Ordinances of the City of College Station, Texas by amending the PDD Planned Development District for the property being situated in the Crawford Burnett League, Abstract No. 7, College Station, Brazos County, Texas being a 24.523 acre tract being a portion of the remainder of a called 120.76 acre tract as described by a deed to Capstone-CS, LLC recorded in Volume 8900, Page 148 of the Official Records of Brazos County, Texas, generally located south of Market Street between Holleman Drive South and North Dowling Road.

Sponsors: Jason Schubert

Indexes:

Code sections:

Attachments: [Background Information](#)
[Aerial and Small Area Map](#)
[Ordinance](#)

Date	Ver.	Action By	Action	Result
------	------	-----------	--------	--------

Public Hearing, presentation, possible action, and discussion regarding an ordinance amending Chapter 12, "Unified Development Ordinance," Section 12-4.2, "Official Zoning Map," of the Code of Ordinances of the City of College Station, Texas by amending the PDD Planned Development District for the property being situated in the Crawford Burnett League, Abstract No. 7, College Station, Brazos County, Texas being a 24.523 acre tract being a portion of the remainder of a called 120.76 acre tract as described by a deed to Capstone-CS, LLC recorded in Volume 8900, Page 148 of the Official Records of Brazos County, Texas, generally located south of Market Street between Holleman Drive South and North Dowling Road.

Relationship to Strategic Goals: Diverse Growing Economy

Recommendations: The Parks and Recreation Advisory Board considered the additional parkland fees as one of the proposed community benefits to help offset the proposed meritorious modifications at their March 10, 2015 meeting and voted 6-0 to recommend approval. The Planning and Zoning Commission considered this item at their March 19, 2015 meeting and voted 4-0 to recommend approval of the rezoning request. Staff also recommends approval.

Summary: This request amends the existing PDD Planned Development District for the subject property. The PDD zoning with Concept Plan were originally approved by Council in November 2008 and a revised PDD Concept Plan was approved by staff in November 2010. This rezoning amends a portion of the original PDD by removing a small commercial area along Holleman Drive South and replacing it with multi-family use. The potential future realignment of North Dowling Road has also

been moved to the west to allow it to occur at the existing Market Street intersection with Holleman Drive South, which is planned to be signalized with the development in the area.

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

REVIEW CRITERIA

- 1. Consistency with the Comprehensive Plan:** The subject area is designated on the Comprehensive Plan Future Land Use and Character Map as Urban and Natural Areas Reserved and is located in Growth Area VI. The Urban 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. General commercial and office uses, business parks, and vertical mixed-use may also be permitted within growth and redevelopment areas. The Natural Areas Reserved designation is generally for areas that represent a constraint to development and that should be preserved for their natural function or open space qualities. These areas include floodplains and riparian buffers, as well as recreation facilities. The proposed zoning permits multi-family and retains natural open space in an existing pond area and floodplain. The proposed land use is 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 subject tract is part of an existing PDD Planned Development District that has other multi-family and commercial uses. The property to the east is owned by the City of College Station and is anticipated to be used for expansion of the existing water facilities. The property to the south across North Dowling Road is developed as rural residential lots. The Concept Plan retains a 35-foot buffer area along North Dowling Road that includes landscaping, fence, and berm to help mitigate the intensity of the development with the less intense development to the south.
- 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 proposed PDD zoning allows for multi-family uses and retains the existing pond area. Multi-family development is suitable for the subject tract in that it has a relative proximity to the Texas A&M University campus and is located in an area of largely other multi-family developments.
- 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 existing PDD Planned Development District allows for multi-family uses and a small commercial site along Holleman Drive South. The subject tract is suitable for these 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 applicant states the marketability of the multi-family is still very viable though the small commercial area is very difficult. Commercial areas tend to develop following residential development.
- 6. Availability of water, wastewater, stormwater, and transportation facilities generally suitable and adequate for the proposed use:** The subject tract is located adjacent to a 12-inch water main along Holleman Drive South and an 8-inch water main at the intersection of Junction Boys Road and Brownstone Drive. An 8-inch sanitary sewer main stubs to the tract from the property to the west. New water mains and sanitary sewer lines will be extended through the

property to support future development. The existing utilities appear to be adequate to support the proposed zoning on the property.

The subject property is located in the Whites Creek Drainage Basin and development of the subject property is required to meet the minimum standards of the City's Storm Water Design Guidelines. The subject property is encroached by FEMA Special Flood Hazard Area - Zone A, in which no base flood elevations have been determined.

The subject property is located adjacent to two roadways identified on the Thoroughfare Plan, Holleman Drive South (4-lane major collector) and North Dowling Road (2-lane major collector). The alignment of the proposed public roadway would allow for the potential realignment of North Dowling Road to Holleman Drive South at the intersection with Market Street. A Traffic Impact Analysis (TIA) was submitted with the rezoning. The signalization of the existing intersection of Holleman Drive South and Market Street would likely be warranted and has been identified as mitigation with development in the area. Final traffic mitigation measures will be determined prior to site development.

REVIEW OF CONCEPT PLAN

The Concept Plan provides an illustration of the general layout of the proposed building and parking areas as well as other site related features. In proposing a PDD, an applicant may also request variations to the general zoning, platting and site development standards provided that those variations are balanced with innovative design or demonstrated community benefits from the proposed development. The Unified Development Ordinance provides the following review criteria as the basis for reviewing 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;
2. The proposal is in conformity with the policies, goals, and objectives of the Comprehensive Plan, and any subsequently adopted Plans, and will be consistent with the intent and purpose of this Section;
3. The proposal is compatible with existing or permitted uses on abutting sites and will not adversely affect adjacent development;
4. Every dwelling unit need not front on a public street but shall have access to a public street directly or via a court, walkway, public area, or area owned by a homeowners association;
5. The development includes provision of adequate public improvements, including, but not limited to, parks, schools, and other public facilities;
6. The development will not be detrimental to the public health, safety, welfare, or materially injurious to properties or improvements in the vicinity; and
7. The development will not adversely affect the safety and convenience of vehicular, bicycle, or pedestrian circulation in the vicinity, including traffic reasonably expected to be generated by the proposed use and other uses reasonably anticipated in the area considering existing zoning and land uses in the area.

General

The Concept Plan is mainly multi-family with some open spaces areas. The commercial pad site identified on the existing PDD (area B3) has been removed from the proposed Concept Plan. The potential future realignment of North Dowling Road has been moved to the west to allow it to occur at the existing Market Street intersection with Holleman Drive South, which is planned to be signalized with the development in the area.

The proposed multi-family will remain based on R-4 Multi-Family zoning district requirements which has a maximum density of 20 units per acre. The multi-family areas are proposed to be gated with main entry/exit boulevard driveways along the proposed Junction Boys Road and an exit only driveways on Holleman Drive South and North Dowling Road. The maximum height of buildings will be limited to three stories and architecture elements that may be as tall as 70 feet. These heights are the same as the existing PDD and similar to other multi-family developments in the area.

A multi-use path is proposed along the proposed public road through the tract and the private hike/bike trail along the portion of North Dowling Road carries over from the existing PDD. The hike/bike trail systems is intended to provide connection between the residential and commercial areas of the original PDD as well as provide recreational opportunities for the residents.

A 35-foot to 50-foot wide buffer area remains proposed along the existing North Dowling Road to buffer the proposed multi-family areas from the adjacent single-family and rural areas. This buffer area will consist of a separating berm averaging 4 feet in height with a fence located on the development side of the berm and landscaping. The berm transition up and down so as to along 70 percent of North Dowling Road's frontage. The buffer will serve as a community benefit as multi-family developments are not required to buffer along rights-of-way and this will help transition the developments to the existing single-family and rural area outside of the City.

Meritorious Modifications

The applicant has requested the following meritorious modifications:

- *Allow for block length variances along North Dowling Road.* This modification request carries forward from the existing PDD approved in 2008. The current block length requirement is 660 feet for areas designated Urban in the Comprehensive Plan. A public roadway is proposed to bisect the tract and there are few alternatives to this remaining portion of the original PDD area.
- *Allow for 20-foot curb radii at intersections to create a more pedestrian friendly environment.* This modification request carries forward from the existing PDD approved in 2008. The allowable range of curb return radii is between 25 and 30 feet. The option to utilize a tighter radii will shorten the distance for pedestrians to cross an intersection and create a more pedestrian friendly environment.
- *Allow for cottages (single detached units) and duplexes to be constructed within the PDD (R-4 based) category.* This modification request carries forward from the existing PDD approved in 2008. The new MF Multi-Family district adopted in December 2014 allows this by right though the applicant has chosen to retain the R-4 Multi-Family district as the base district that does not allow these units on the same lot as multi-family units.
- *Allow five-bedroom units types to allow up to five unrelated individuals in a dwelling unit.* This modification has been added to clarify what was already anticipated with the existing PDD approved in 2008. A mix of three, four, and five-bedroom units with an average of 4.31 bedrooms per unit is proposed with the development. The applicant is proposing to provide additional parkland dedication fees for the additional bedrooms over the average of four bedrooms per unit as described in the Community Benefits section.

Community Benefits

The applicant has identified the following community benefits to offset the proposed meritorious modifications:

- The stormwater detention will be provided in the irrigation pond area. This feature along

Holleman Drive South provides for a nice view corridor from the street.

- There is a hike/bike trail along the internal public street that the public will be able to enjoy.
- There is only one access driveway from the residential area as well as the one connection of the public road to North Dowling Road. Keeping this number to a minimum will help ease the North Dowling Road traffic concerns that may arise from the adjacent single family residential properties.
- Additional parkland dedication fees to pay the cost differential between having all four bedroom units and the additional bedrooms provided as a result of having five-bedroom units. The development currently anticipates an average of 4.31 bedrooms per unit. The Parks and Recreation Advisory Board recommended approval of this community benefit at their March 10, 2015 meeting.

Budget & Financial Summary: N/A

Attachments:

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

Background Information

NOTIFICATIONS

Advertised Commission Hearing Date: March 19, 2015

Advertised Council Hearing Date: April 9, 2015

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

None

Property owner notices mailed: 14

Contacts in support: None

Contacts in opposition: None

Inquiry contacts: One

ADJACENT LAND USES

Direction	Comprehensive Plan	Zoning	Land Use
North (across Holleman Drive South)	Urban Natural Areas Reserved	PDD Planned Development District	Planned commercial
South (across North Dowling Road)	Rural	N/A (ETJ)	Acreage single- family lots
East	Utilities	R Rural	Vacant
West	Urban Natural Areas Reserved	PDD Planned Development District	Multi-family

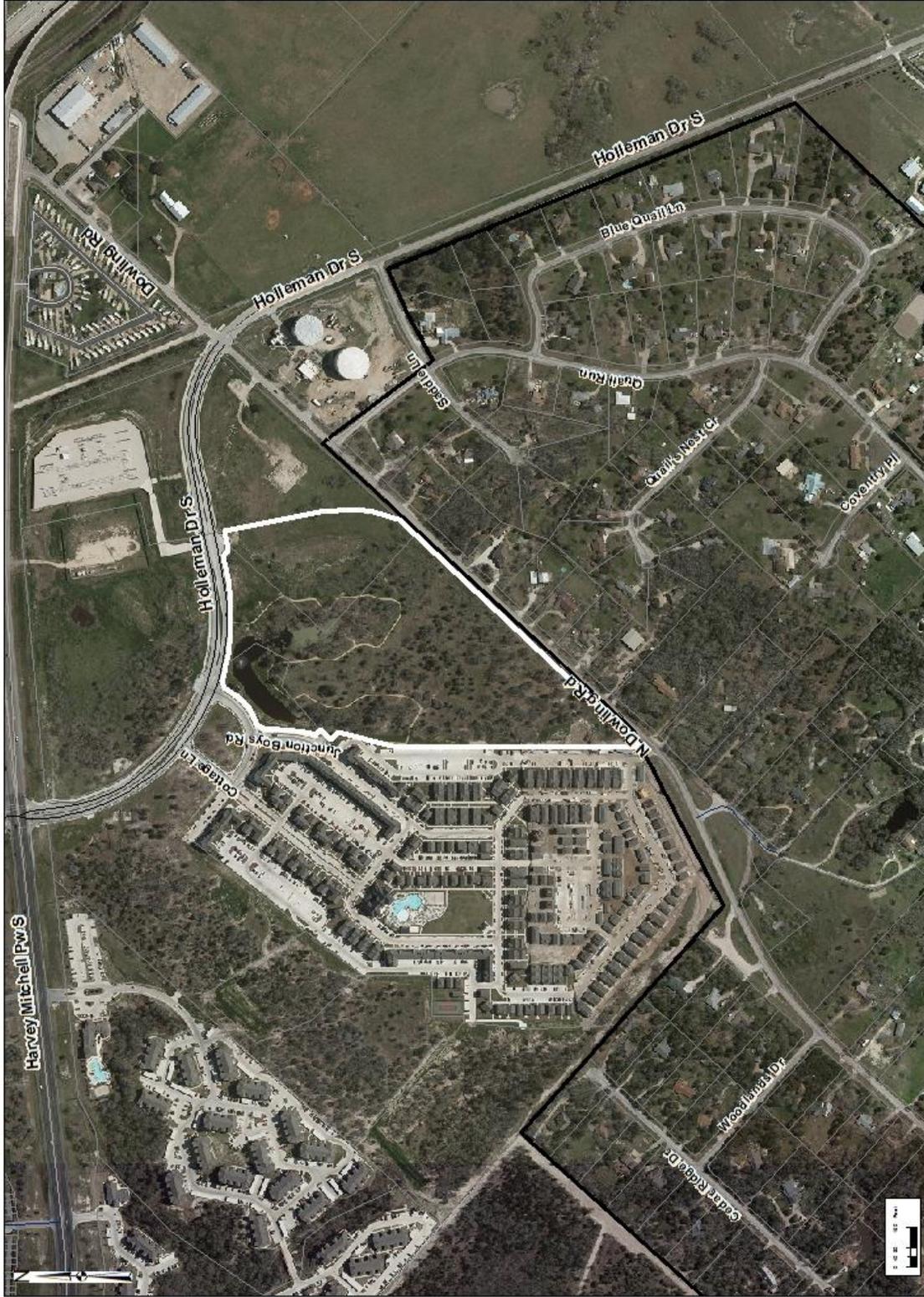
DEVELOPMENT HISTORY

Annexation: 2002

Zoning: A-O Agricultural Open (upon annexation), rezoned PDD Planned Development District (2008) for multi-family and commercial uses.

Final Plat: Unplatted

Site development: Vacant with walking paths and a pond used for irrigation.



REZONING
Case: 15-13

CAPSTONE DEVELOPMENT

DEVELOPMENT REVIEW



ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 12, "UNIFIED DEVELOPMENT ORDINANCE," SECTION 12-4.2, "OFFICIAL ZONING MAP," OF THE CODE OF ORDINANCES OF THE CITY OF COLLEGE STATION, TEXAS, BY AMENDING THE PDD PLANNED DEVELOPMENT DISTRICT FOR THE PROPERTY BEING SITUATED IN THE CRAWFORD BURNETT LEAGUE, ABSTRACT NO. 7, COLLEGE STATION, BRAZOS COUNTY, TEXAS BEING A 24.523 ACRE TRACT BEING A PORTION OF THE REMAINDER OF A CALLED 120.76 ACRE TRACT AS DESCRIBED BY A DEED TO CAPSTONE-CS, LLC RECORDED IN VOLUME 8900, PAGE 148 OF THE OFFICIAL RECORDS OF BRAZOS COUNTY, TEXAS, GENERALLY LOCATED SOUTH OF MARKET STREET BETWEEN HOLLEMAN DRIVE SOUTH AND NORTH DOWLING ROAD; 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 12-4.2, "Official Zoning Map," of the Code of Ordinances of the City of College Station, Texas, be amended as set out in Exhibit "A", as described in Exhibit "B", and as shown graphically in Exhibit "C" and Exhibit "D", 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 9th day of April, 2015

APPROVED:

MAYOR

ATTEST:

City Secretary

APPROVED:

City Attorney

EXHIBIT A

That Chapter 12, "Unified Development Ordinance," Section 12-4.2, "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 amend the Concept Plan layout and uses:

**METES AND BOUNDS DESCRIPTION
OF A
24.523 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 THE REMAINDER OF A CALLED 120.76 ACRE TRACT AS DESCRIBED BY A DEED TO CAPSTONE-CS, LLC RECORDED IN VOLUME 8900, PAGE 148 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 ON THE NORTHWEST LINE OF NORTH DOWLING ROAD (VARIABLE WIDTH R.O.W.) MARKING A SOUTHERLY CORNER OF SAID REMAINDER OF 120.76 ACRE TRACT AND THE SOUTHEAST CORNER OF LOT 2R, BLOCK 2, THE COTTAGES OF COLLEGE STATION, PHASE 1, ACCORDING TO THE PLAT RECORDED IN VOLUME 11391, PAGE 129 OF THE OFFICIAL PUBLIC RECORDS OF BRAZOS COUNTY, TEXAS;

THENCE: ALONG THE COMMON LINE OF SAID REMAINDER OF 120.76 ACRE TRACT AND SAID LOT 2R FOR THE FOLLOWING CALLS:

N 00° 00' 09" W FOR A DISTANCE OF 1013.66 FEET TO A 1/2 INCH IRON ROD FOUND;

N 14° 59' 07" E FOR A DISTANCE OF 235.42 FEET TO A 1/2 INCH IRON ROD FOUND;

N 51° 30' 03" W FOR A DISTANCE OF 40.01 FEET TO THE PLATTED END OF JUNCTION BOYS ROAD (60' R.O.W.);

THENCE: N 38° 29' 57" E ACROSS THE END OF SAID RIGHT-OF-WAY FOR A DISTANCE OF 60.00 FEET TO THE EASTERLY LINE OF JUNCTION BOYS ROAD;

THENCE: ALONG THE EASTERLY LINE OF JUNCTION BOYS ROAD, THE SOUTHEASTERLY LINE OF MARKET STREET (60' R.O.W.) AND THE SOUTHERLY LINE OF HOLLEMAN DRIVE (80' R.O.W.) FOR THE FOLLOWING CALLS:

N 51° 30' 03" W FOR A DISTANCE OF 28.13 FEET TO AN "X" SET IN CONCRETE MARKING THE BEGINNING OF A COUNTERCLOCKWISE CURVE HAVING A RADIUS OF 252.00 FEET;

ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 20° 46' 40" FOR AN ARC DISTANCE OF 91.38 FEET (CHORD BEARS: N 13° 37' 58" E - 90.89 FEET) TO AN "X" SET IN CONCRETE MARKING THE END OF SAID CURVE;

N 03° 14' 38" E FOR A DISTANCE OF 125.45 FEET TO AN "X" SET IN CONCRETE;

N 29° 25' 58" E FOR A DISTANCE OF 31.20 FEET TO AN "X" SET IN CONCRETE ON THE SOUTHEAST LINE OF MARKET STREET MARKING THE BEGINNING OF A COUNTERCLOCKWISE CURVE HAVING A RADIUS OF 230.00 FEET;

ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 40° 43' 09" FOR AN ARC DISTANCE OF 163.46 FEET (CHORD BEARS: N 53° 14' 09" E - 160.04 FEET) TO AN "X" SET IN CONCRETE MARKING THE END OF SAID CURVE;

N 32° 52' 35" E FOR A DISTANCE OF 45.90 FEET TO AN "X" SET IN CONCRETE;

N 71° 08' 58" E FOR A DISTANCE OF 28.48 FEET TO AN "X" SET IN CONCRETE ON THE SOUTH LINE OF HOLLEMAN DRIVE MARKING THE BEGINNING OF A COUNTERCLOCKWISE CURVE HAVING A RADIUS OF 840.00 FEET;

ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 28° 32' 57" FOR AN ARC DISTANCE OF 418.55 FEET (CHORD BEARS: S 86° 39' 50" E - 414.24 FEET) TO AN "X" SET IN CONCRETE MARKING THE END OF SAID CURVE;

N 79° 03' 42" E FOR A DISTANCE OF 94.53 FEET TO AN "X" SET IN CONCRETE;

S 55° 56' 18" E FOR A DISTANCE OF 35.36 FEET;

N 79° 03' 42" E FOR A DISTANCE OF 80.00 FEET TO THE WEST LINE OF THE REMAINDER OF A CALLED 10.7466 ACRE TRACT AS DESCRIBED BY A DEED TO THE CITY OF COLLEGE STATION RECORDED IN VOLUME 6950, PAGE 42 OF THE OFFICIAL PUBLIC RECORDS OF BRAZOS COUNTY, TEXAS;

THENCE: S 10° 56' 18" E ALONG THE COMMON LINE OF SAID REMAINDER OF 120.76 ACRE TRACT AND SAID REMAINDER OF 10.7466 ACRE TRACT FOR A DISTANCE OF 397.92 FEET TO A 5/8 INCH IRON ROD FOUND ON THE COMMON LINE OF SAID REMAINDER OF 120.76 ACRE TRACT AND THE REMAINDER OF A CALLED 5.000 ACRE TRACT AS DESCRIBED BY A DEED TO THE CITY OF COLLEGE STATION RECORDED IN VOLUME 8222, PAGE 226 OF THE OFFICIAL PUBLIC RECORDS OF BRAZOS COUNTY, TEXAS, MARKING THE BEGINNING OF A CLOCKWISE CURVE HAVING A RADIUS OF 575.00 FEET;

THENCE: ALONG THE COMMON LINE OF SAID REMAINDER OF 120.76 ACRE TRACT AND SAID REMAINDER OF 5.000 ACRE TRACT AND ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 32° 27' 42" FOR AN ARC DISTANCE OF 325.77 FEET (CHORD BEARS: S 05° 17' 33" W - 321.43 FEET) TO A 5/8 INCH IRON ROD FOUND ON THE NORTHWEST LINE OF NORTH DOWLING ROAD MARKING THE SOUTH CORNER OF SAID REMAINDER OF 5.000 ACRE TRACT;

THENCE: ALONG THE NORTHWEST LINE OF NORTH DOWLING ROAD FOR THE FOLLOWING CALLS:

S 43° 01' 08" W FOR A DISTANCE OF 94.15 FEET TO A 5/8 INCH IRON ROD FOUND;

S 43° 01' 39" W FOR A DISTANCE OF 1261.97 FEET TO A 1/2 INCH IRON ROD FOUND;

S 62° 17' 05" W FOR A DISTANCE OF 3.93 FEET TO THE **POINT OF BEGINNING** CONTAINING 24.523 ACRES OF LAND, MORE OR LESS, AS SURVEYED ON THE GROUND FEBRUARY 2014. BEARING SYSTEM SHOWN HEREIN IS BASED ON GRID NORTH AS ESTABLISHED FROM GPS OBSERVATION.

BRAD KERR
REGISTERED PROFESSIONAL
LAND SURVEYOR No. 4502
D:\work\14-086-3.mab



BRAD KERR
REGISTERED PROFESSIONAL
LAND SURVEYOR No. 4502
D:\work\13-893.mab

EXHIBIT B

General Requirements

The proposed multi-family is based on R-4 Multi-Family zoning district requirements which has a maximum density of 20 units per acre. As shown on the Concept Plan, the multi-family areas are gated with main entry/exit boulevard driveways along the proposed public road and potential exit only driveways on Holleman Drive South and North Dowling Road. The maximum height of buildings will be limited to three stories and architecture elements that may be as tall as 70 feet.

A multi-use path is proposed along the proposed public road through the tract and a private hike/bike trail continues along the portion of North Dowling Road to the west of the public road.

As described on the Concept Plan, a 35-foot to 50-foot wide buffer area is required along the existing North Dowling Road that will consist of berms, landscaping, and a fence. The buffer will serve as a community benefit as multi-family developments are not required to buffer along rights-of-way and this will help transition the development to the existing single-family and rural area across and down North Dowling Road.

Meritorious Modifications

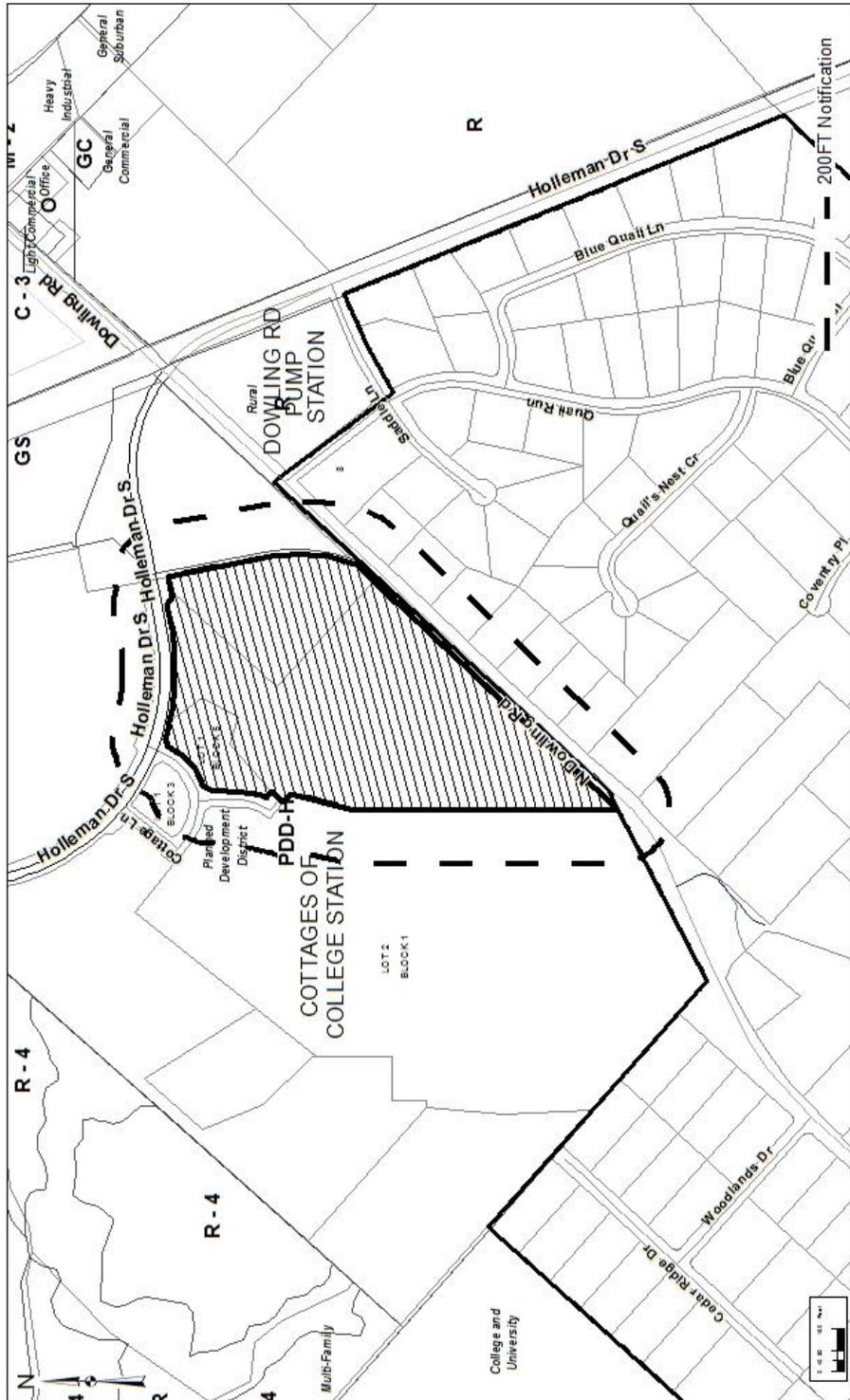
- Allow for block length and block perimeter variances along North Dowling Road.
- Allow for 20-foot curb radii at intersections to create a more pedestrian friendly environment.
- Allow for cottages (single detached units) and duplexes to be constructed within the PDD (R-4 based) category.
- Allow five-bedroom units types to allow up to five unrelated individuals in a dwelling unit with each bedroom limited to one occupant.

Community Benefits

The following community benefits to offset the proposed meritorious modifications have also been identified by the applicant:

- Stormwater detention will be provided in the irrigation pond area. This feature along Holleman Drive South provides for a nice view corridor from the street.
- There is a hike/bike trail along the internal public street that the public will be able to enjoy.
- There is only one access driveway from the residential area as well as the one connection of the public road to North Dowling Road. Keeping this number to a minimum will help ease the North Dowling Road traffic concerns that may arise from the adjacent single family residential properties.
- Additional parkland dedication fees to pay the cost differential between having all four bedroom units and the additional bedrooms provided as a result of having five-bedroom units. The development currently anticipates an average of 4.31 bedrooms per unit.

EXHIBIT D



Zoning Districts

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

	DEVELOPMENT REVIEW	CAPSTONE DEVELOPMENT	Case: 15-13	REZONING
---	--------------------	----------------------	-------------	----------



Legislation Details (With Text)

File #: 15-0171 **Version:** 1 **Name:** Cherry Street On-Street Parking Removal
Type: Ordinance **Status:** Agenda Ready
File created: 3/26/2015 **In control:** City Council Regular
On agenda: 4/9/2015 **Final action:**
Title: Public Hearing, presentation, possible action, and discussion regarding an ordinance amending Chapter 10, "Traffic Code," of the Code of Ordinances of the City of College Station, Texas, to restrict parking along the 300 Block of Cherry Street.
Sponsors: Danielle Singh
Indexes:
Code sections:
Attachments: [Location Map](#)
[Ordinance](#)

Date	Ver.	Action By	Action	Result
------	------	-----------	--------	--------

Public Hearing, presentation, possible action, and discussion regarding an ordinance amending Chapter 10, "Traffic Code," of the Code of Ordinances of the City of College Station, Texas, to restrict parking along the 300 Block of Cherry Street.

Relationship to Strategic Goals: Core Services & Infrastructure

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

Summary: If approved, this item will amend Chapter 10 "Traffic Code," by removing parking from the 300 Block of Cherry Street.

This parking removal request is to allow aerial fire access to the proposed Second Street Apartments development.

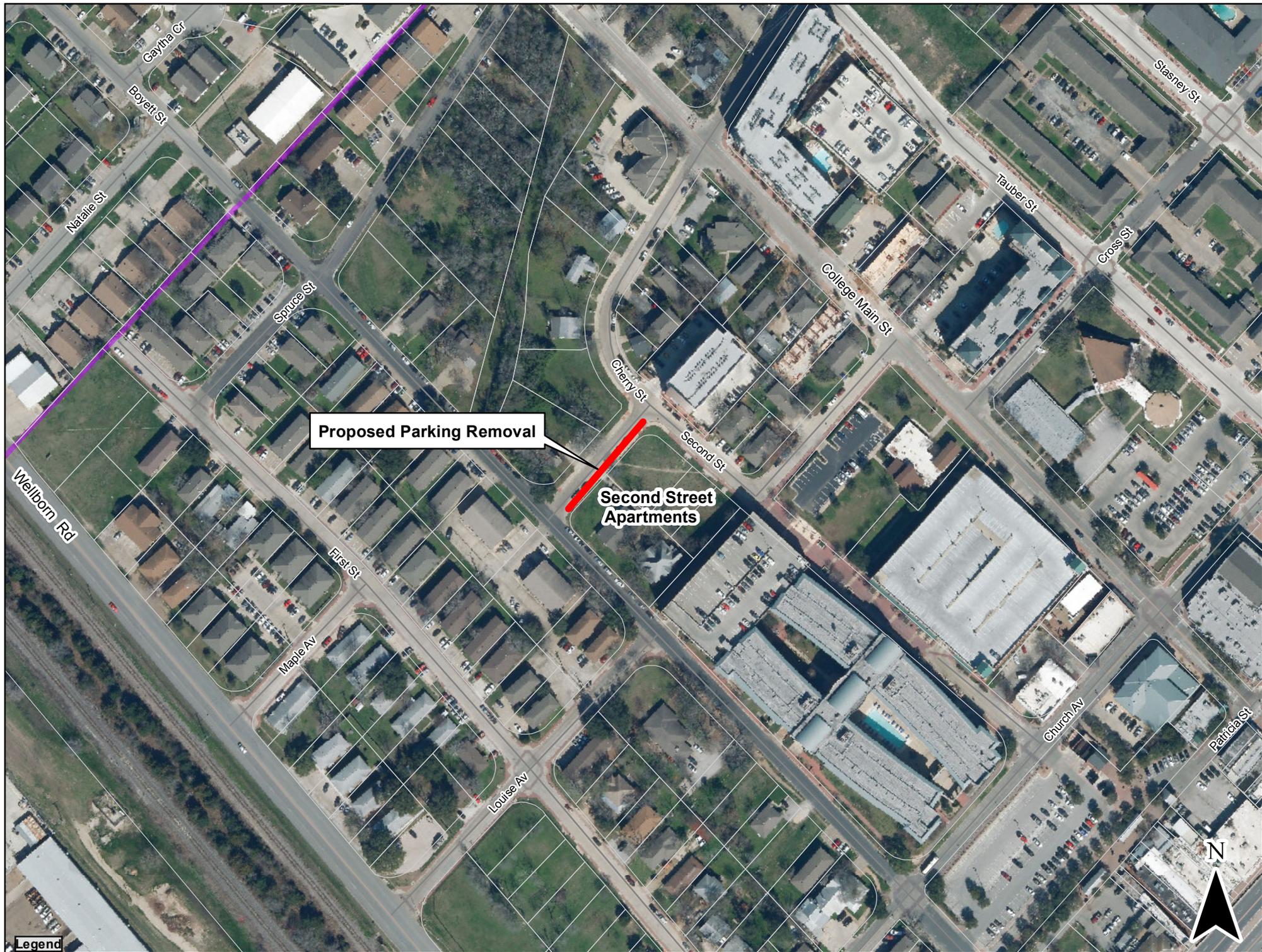
Letters were mailed to the property owners adjacent to the parking removal. Additionally, on March 17th, the applicant held a meeting with the property owners to discuss the plan.

Budget & Financial Summary: The "No Parking" signs will be installed by the contractor as part of their development.

Reviewed and Approved by Legal: Yes

Attachments:

1. Location Map
2. Ordinance



Proposed Parking Removal

Second Street
Apartments

Legend



ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 10, “TRAFFIC CODE”, SECTION 4 “ADMINISTRATIVE ADJUDICATION OF PARKING VIOLATIONS”, E “PARKING REGULATIONS FOR CERTAIN DESCRIBED AREAS”, (1) “TRAFFIC SCHEDULE XIV – NO PARKING HERE TO CORNER OR NO PARKING ANY TIME” OF THE CODE OF ORDINANCES OF THE CITY OF COLLEGE STATION, TEXAS, BY REMOVING ON-STREET PARKING ALONG THE SOUTH SIDE OF CHERRY STREET BETWEEN SECOND STREET AND BOYETT STREET, 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”, (1) “Traffic Schedule XIV – No Parking Here to Corner or No Parking at Any Time” 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.

PASSED, ADOPTED and APPROVED this _____ day of _____, 2015.

APPROVED:

Mayor

ATTEST:

City Secretary

APPROVED:

City Attorney

EXHIBIT “A”

That Chapter 10, “Traffic Code”, Section 4 “Administrative Adjudication of Parking Violations”, E “Parking Regulations for Certain Described Areas”, (1) “Traffic Schedule XIV – No Parking Here to Corner or No Parking at Any Time”, is hereby amended to include the following:

No Parking on the south side of Cherry Street between Second Street and Boyett Street.



Legislation Details (With Text)

File #: 15-0165 **Version:** 1 **Name:** Annexation Ordinance – 233 Acres
Type: Annexation **Status:** Agenda Ready
File created: 3/23/2015 **In control:** City Council Regular
On agenda: 4/9/2015 **Final action:**
Title: Presentation, possible action, and discussion regarding an ordinance annexing approximately 233 acres located in the City’s ETJ on the southwest side of the City generally bordered by Royder Road, FM 2154, and Greens Prairie Trail.
Sponsors: Lance Simms
Indexes:
Code sections:
Attachments: [Map of annexation Area Ordinance](#)

Date	Ver.	Action By	Action	Result
------	------	-----------	--------	--------

Presentation, possible action, and discussion regarding an ordinance annexing approximately 233 acres located in the City's ETJ on the southwest side of the City generally bordered by Royder Road, FM 2154, and Greens Prairie Trail.

Relationship to Strategic Goals: (Select all that apply)

- Good Governance
- Financially Sustainable City
- Core Services and Infrastructure
- Neighborhood Integrity
- Diverse Growing Economy
- Improving Mobility

Recommendation(s): The Planning & Zoning Commission heard this item on 19 February and voted 6-0 to recommend approval of the annexation. Staff also recommends approval of the ordinance.

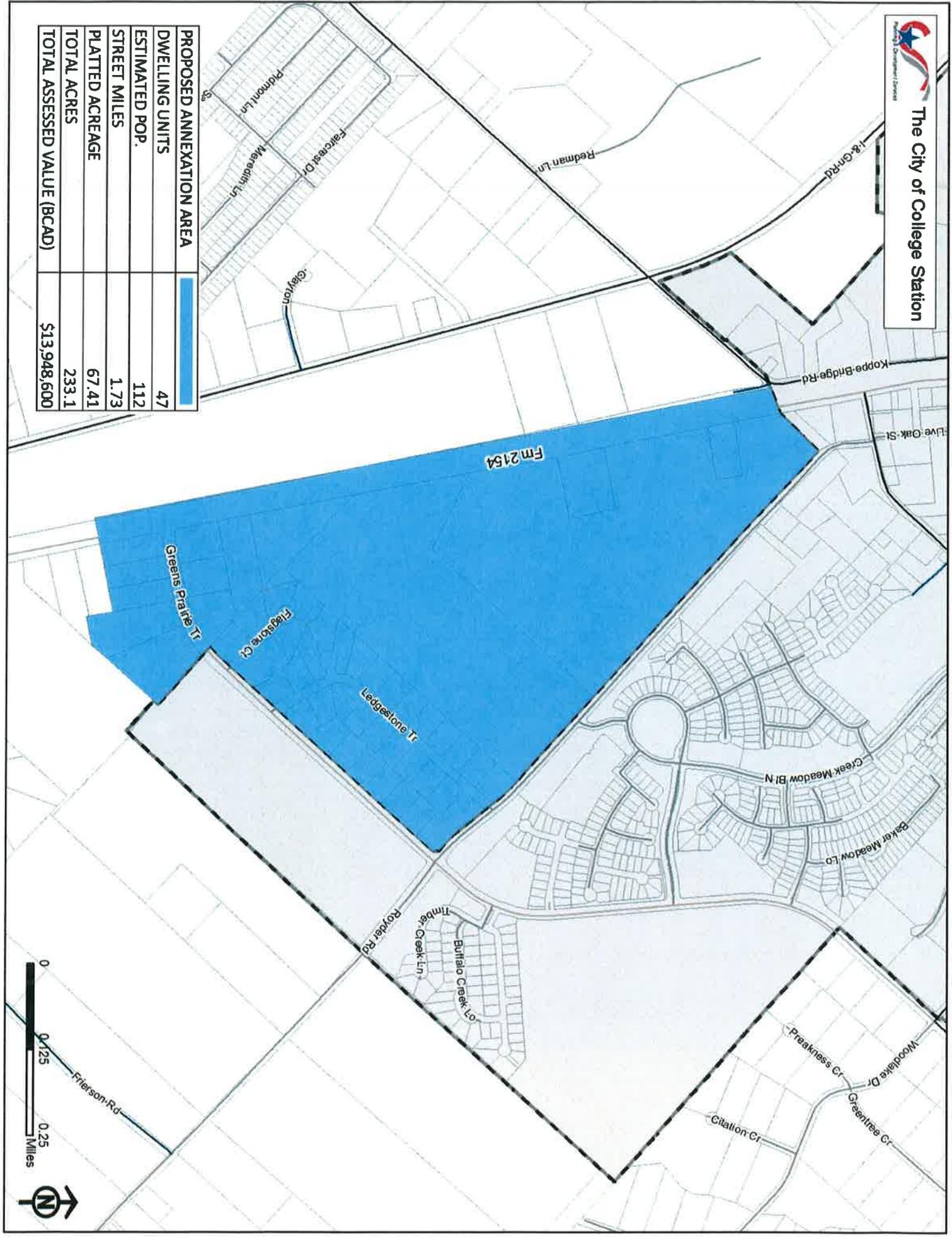
Summary: This ordinance provides for the annexation of approximately 233 acres on the southwest side of the City. The City Council approved an ordinance establishing two public hearings and directing staff to prepare an annexation service plan for the area on 22 January 2015. The two public hearings were held on 10 March and 12 March 2015.

The annexation service plan is attached to the ordinance and effectively acts as a contract between the City and the residents of the annexed area.

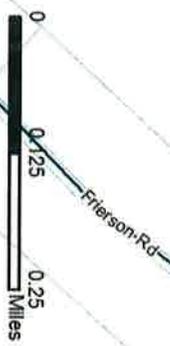
Budget & Financial Summary: Provided at the two public hearings

Attachments:

1. Annexation Area Map
2. Ordinance



PROPOSED ANNEXATION AREA	
DWELLING UNITS	47
ESTIMATED POP.	112
STREET MILES	1.73
PLATTED ACREAGE	67.41
TOTAL ACRES	233.1
TOTAL ASSESSED VALUE (BCAD)	\$13,948,600



ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF COLLEGE STATION, TEXAS, PROVIDING FOR THE EXTENSION OF THE BOUNDARY LIMITS OF THE CITY OF COLLEGE STATION, ANNEXING CERTAIN TERRITORY ADJACENT TO THE PRESENT BOUNDARY LIMITS OF THE CITY OF COLLEGE STATION; APPROVING A SERVICE PLAN FOR THE ANNEXED PROPERTY; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of College Station has the power by ordinance to fix the boundary limits of the City of College Station and to provide for the extension of such boundary limits and the annexation of additional territory lying adjacent to the City of College Station by the City Charter of the City of College Station, Texas, Article II, Section 7; and

WHEREAS, on January 22, 2015, the City Council of the City of College Station directed staff to prepare a service plan for approximately 233 acres of land identified for annexation; and

WHEREAS, the City Council finds that all the required notices were given in the time and manner required by law; and

WHEREAS, two public hearings before the City Council were held - one at Greens Prairie Elementary School on March 10, 2015, and one in the City Hall Council Chambers on March 12, 2015. Both public hearing dates being on or after the 20th day but before the 40th day before the date of the institution of the annexation proceedings to allow all interested persons to state their views regarding the annexation; and

WHEREAS, the City Council finds that the annexation will ensure consistent and orderly development of the annexed area; now, therefore,

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

PART 1: The tracts of land described in Exhibit "1", attached hereto and made a part of this ordinance for all purposes, is hereby added to and annexed by the City of College Station, Texas.

PART 2: The Service Plan, Exhibit "2", attached hereto and made a part of this ordinance for all purposes, which provides for the extension of municipal services to the annexed property, is approved as part of this ordinance. The Service Plan was made available for public inspection and explained at the public hearings held on March 10, 2015 and March 12, 2015.

PART 3: Should any part of this ordinance be held illegal or invalid for any reason, the holding shall not affect the remaining sections or portion of sections or provisions of this ordinance.

PART 4: That upon final approval and after the effective date of this ordinance, all property annexed shall be zoned R (Rural).

PART 5: That, upon final passage hereof and after the effective date of this ordinance, the annexed territory shall be a part of the City of College Station, Texas, and the property situated shall bear its pro rata portion of the taxes levied by the City of College Station and the inhabitants thereof shall be entitled to all of the rights and privileges of all the citizens and shall be bound by the acts, ordinances, resolutions, and regulations of the City of College Station.

PART 6: That this ordinance shall become effective on the 8th day of May, 2015.

ORDINANCE NO. _____

Page 2

PASSED, ADOPTED and APPROVED this 9th day of April, 2015.

APPROVED:

Nancy Berry, Mayor

ATTEST:

City Secretary

APPROVED:

City Attorney

EXHIBIT 1

**Annexation Area – 233.10 Acres
Wellborn – Greens Prairie Trail Area
Brazos County, Texas**

All of that certain tract or parcel of land lying and being situated in the Samuel Davidson survey (abstract no. 13) in Brazos County, Texas, adjoining the present City of College Station city limits as described in Ordinance no. 3248 and no. 2011-3331, being bounded on the west by the southwest right-of-way line of Union Pacific Railroad, on the north by the southeast line of that 0.88 acre tract conveyed to the Eugene B. Savage III Revocable Trust (vol. 7912, pg. 257), on the east by the southwest right-of-way line of Royder Road, and on the south by the southeast boundary of the Estates of Royder Ridge and Crossroad Woods subdivisions, and being more particularly described as follows:

Beginning at intersection of the southwest right-of-way line of Union Pacific Railroad (100' width, vol. 23, pg. 121), with a southeast line of the existing city limits of College Station as defined in Ordinance no. 2011-3331, being approximately in the northwest line of the said Samuel Davidson original survey, from where the City of College Station GPS control monument no. 134 bears N 1° 22' 07" W – 1681.4 feet;

Thence N 69° 59' 28" E – 202.55 feet, with said City Limits, crossing the rights-of-way of said railroad and F.M. 2154 (Wellborn Road, 100' width, vol. 202, pg. 575), to the south corner of said Savage Trust tract;

Thence N 45° 09' 51" E – 412.49 feet, along the southeast line of said Savage Trust tract, to the southwest line of Royder Road;

Thence along the said southwest line of Royder Road (vol. 7088, pg. 290) as follows:

S 47° 21' 31" E – 860.95 feet, to an angle point,

S 47° 48' 25" E – 1815.14 feet, to an angle point, also being in the northeast line of that 53.51 acre tract conveyed to College Station I.S.D. (vol. 9577, pg. 268),

S 47° 34' 56" E – 396.84 feet, to an angle point,

S 48° 30' 03" E – 273.93 feet, to an angle point,

S 48° 59' 26" E – 91.82 feet, to the east corner of the said I.S.D. tract in the northwest line of the Estates of Royder Ridge Phase Two (vol. 4377, pg. 205);

Thence N 42° 25' 46" E – 4.08 feet, along the northwest line of said Royder Ridge, to a corner in the southwest line of Royder Road as described by said plat of Phase Two;

Thence along the said southwest line of Royder Road, as described by plats of said Phase Two and Estates of Royder Ridge Phase One (vol. 4119, pg. 120), as follows:

S 44° 52' 49" E – 79.19 feet, to the beginning of a tangent curve to the right
(radius= 770.00 feet),

Along said curve, through a central angle of 6° 00' 26", to its point of tangency,

S 38° 52' 23" E – 433.04 feet, to the beginning of a tangent curve to the left
(radius= 830.00 feet),

Along said curve, through a central angle of $12^{\circ} 44' 30''$, to its point of tangency,
S $51^{\circ} 36' 53''$ E – 16.09 feet, to the beginning of a tangent curve to the right
(radius= 35.00 feet),

Along said curve, through a central angle of $93^{\circ} 58' 27''$, to its end in the northwest line of
Greens Prairie Trail and the present city limits line, as described in Ordinance no. 3248;

Thence S $42^{\circ} 21' 34''$ W – 2206.47 feet, along the northwest line of Greens Prairie Trail (100' width, vol. 1243, pg. 274), also being the southeast boundary of the said Estates of Royder Ridge Phase Two and Phase One subdivisions, to the beginning of a tangent curve to the right (R=904.93');

Thence along the arc of said curve through a central angle of $7^{\circ} 46' 53''$ to the east corner of Lot 1 in Block One of the Crossroad Woods subdivision (vol. 1697, pg. 219);

Thence S $47^{\circ} 56' 03''$ E – 101.12 feet across Greens Prairie Trail, to the north corner of Lot 1 in Block Two of said Crossroad Woods subdivision, also being the west corner of that 46.027 acre tract conveyed to College Station Independent School District (vol. 8256, pg. 42);

Thence S $48^{\circ} 02' 08''$ E – 504.17 feet, along the common line of said Block Two and said 46.027 acre tract, to their common corner;

Thence S $41^{\circ} 41' 43''$ W - 41.35 feet, to the north corner of that 42.214 acre tract conveyed to John. M. Duncum and wife, Diane Duncum (vol. 2724, pg. 215), being the last point of this described tract in common with present city limits lines;

Thence S $41^{\circ} 47' 01''$ W – 637.43 feet, along the common line of said Block Two and the Duncum Tract, to an angle point in the south lines of Lot 2 of Block Two, also being the northeast corner of that 2.924 acre tract conveyed to Floyd Dale Collins and Grietje Collins (vol. 2622, pg. 84);

Thence S $79^{\circ} 03' 48''$ W – 224.39 feet, along the common line of said Lot 2, Block Two and said Collins tract, to the southwest corner Lot 2, also being the east corner of that 2.50 acre tract conveyed to Brenda Kay Smith (vol. 946, pg. 759 and vol. 4087, pg. 273);

Thence N $10^{\circ} 56' 12''$ W – 203.84 feet, along the common line of said Lot 2, Block Two and said Smith tract, to the common corner of the Smith tract and Lot 3 of said Block Two;

Thence S $79^{\circ} 03' 48''$ W – 734.72 feet, along the common line between Lots 3, 4 and 5 of said Block Two and said Smith Tract, and continuing across said F.M. 2154 and Union Pacific Railroad rights-of-way, to a point in the east line of that 83.34 acre tract conveyed to the Santana Revocable Trust (vol. 7145, pg. 286);

Thence N $10^{\circ} 54' 24''$ W – 5296.56 feet, along the west right-of-way line of said Union Pacific Railroad, to the Point of Beginning and containing 233.10 acres of land more or less.

Bearings are Texas State Plane, NAD83(CORS) datum, based on City of College Station GPS control monuments and GPS observations.

Volume and page numbers cited refer to the Brazos County public records.

No monuments were set for this survey and found monuments are not cited.

This document was prepared under 22 TAC §663.21 does not reflect the results of an on the ground survey and is not to be used to convey or establish interests in real property except those rights and interests implied or established by the creation or reconfiguration of the boundary of the political subdivision for which it was prepared.

See survey plat dated January 2015.

EXHIBIT 2

**CITY OF COLLEGE STATION SERVICE PLAN
FOR THE AREA TO BE ANNEXED
EFFECTIVE MAY 8, 2015**

I. ANNEXATION AREA

The annexation area is located on the southwest side of the City of College Station, in the City's Extraterritorial Jurisdiction. The area is illustrated in Figure 1 and generally described below.

Area Description - approximately 233 acres generally bordered by Royder Road, FM 2154 (AKA Wellborn Road), and Greens Prairie Trail.

II. INTRODUCTION

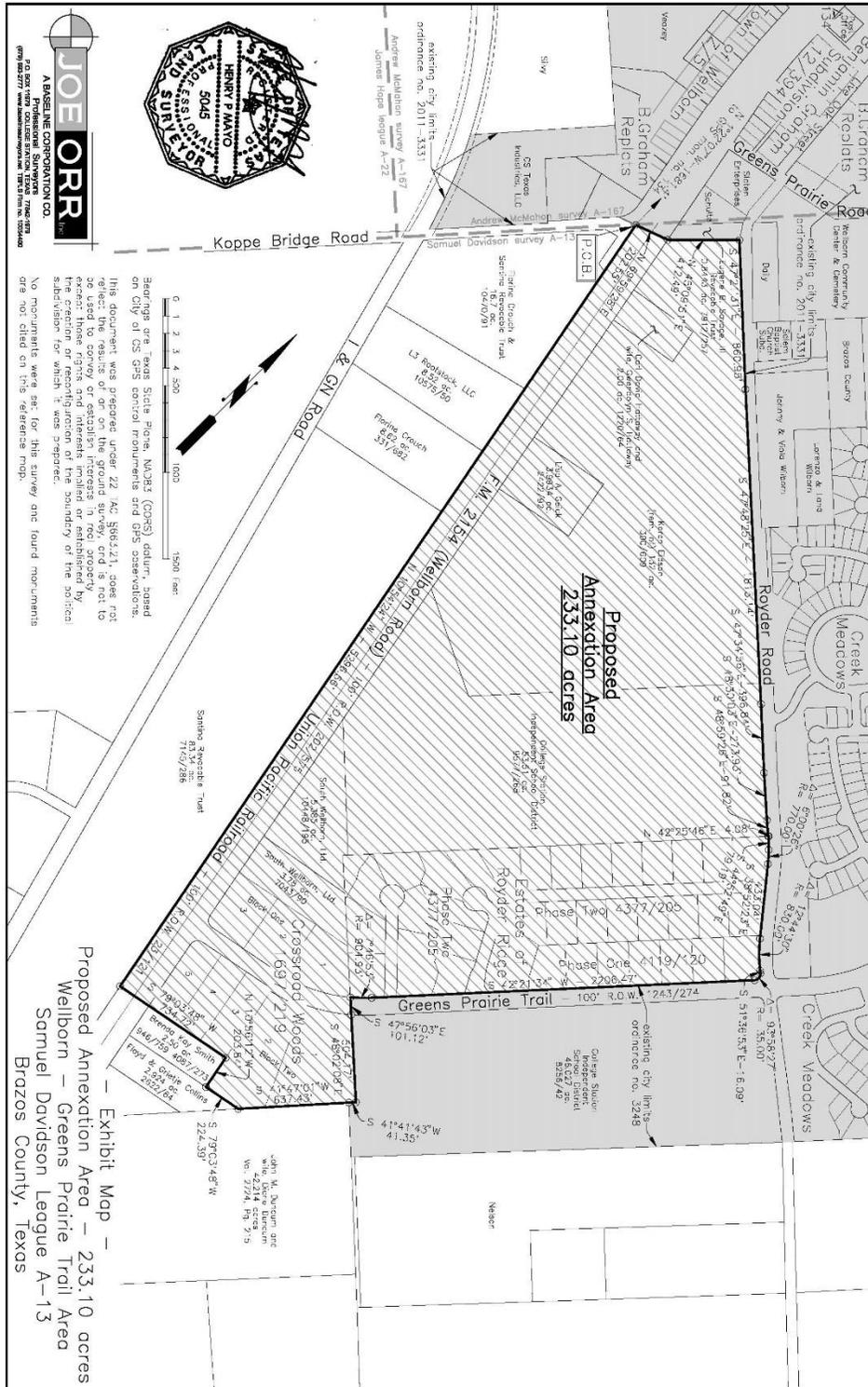
This service plan has been prepared in accordance with the TEXAS LOCAL GOVERNMENT CODE, Sections 43.021, 43.065, and 43.056(b)-(o) (Vernon 2008, AND VERNON SUPP. 2009, as amended from time to time). Municipal facilities and services to the annexed area described above and illustrated in Figure 1 will be provided or made available on behalf of the City in accordance with the following plan. This plan provides a program under which the City of College Station will provide full municipal services to the annexed areas. All services will be provided within the time provided in the TEXAS LOCAL GOVERNMENT CODE, Section 43.056(B).

This Service Plan does not:

- require the creation of another political subdivision;
- require a landowner in the area to fund the capital improvements necessary to provide municipal services in a manner inconsistent with Chapter 395, TEXAS LOCAL GOVERNMENT CODE; or
- provide services in the area in a manner that would have the effect of reducing, by more than a negligible amount, the level of fire and police protection and emergency medical services provided within the corporate boundaries of the municipality before annexation.

The level of services, infrastructure, and infrastructure maintenance provided to the annexed area is comparable to the level of services, infrastructure, and infrastructure maintenance available in other parts of the City with topography, land use, and population density similar to those reasonably contemplated or projected in the annexed area.

Figure 1



III. SERVICE COMPONENTS

This plan contains three service components: (1) Immediate Services, (2) Additional Services, and (3) Capital Improvement Program.

Immediate Services

As required by the TEXAS LOCAL GOVERNMENT CODE, SECTION 43.056(B), Certain municipal services will be provided by the City of College Station immediately upon the effective date of annexation. These services include:

- police protection;
- fire protection;
- emergency medical services;
- solid waste collection, except as provided by Subsection 43.056(o);
- operation and maintenance of water and wastewater facilities in the annexed area that are not within the service area of another water or wastewater utility;
- operation and maintenance of roads, and streets, including road and street lighting;*
- operation and maintenance of publicly-owned parks, playgrounds, and swimming pools; and,
- operation and maintenance of any other publicly-owned facility, building, or service.

***Note:** Street lighting will only be maintained for fixtures located within the service territory of College Station Utilities.

A. Police Protection

The College Station Police Department will provide police service, including routine patrol, traffic enforcement, and dispatch response to emergency and non-emergency service calls.

B. Fire Protection

The College Station Fire Department will provide fire protection, including response to emergency calls for assistance, fire prevention education, pre-fire planning, and target hazard inspections.

Construction and development activities undertaken after the effective date of annexation shall comply with all fire and life-safety codes of the City of College Station. All structures shall comply with the address standards of the College Station Code of Ordinances within ninety (90) days of the effective annexation date.

C. Emergency Medical Services

The College Station Fire Department will provide emergency medical services (EMS). Each Fire Department ambulance, engine, and ladder truck is capable of providing EMS,

including defibrillation, medical administration, IV therapy, advanced airway management, and initial treatment of injuries.

D. Solid Waste Collection

The College Station Public Works Department will provide fee-based solid waste collection service for residential and commercial customers. Customers in the annexed area may elect to continue using a private solid waste management service provider for a period of two years after the effective date of annexation in accordance with provisions of the TEXAS LOCAL GOVERNMENT CODE. The City will not charge a fee to a person who continues to use the services of a privately-owned solid waste management service provider during the aforementioned two-year period.

Residential Service – Residential solid waste collection (including brush and bulk items) is provided once per week. All residential service will be provided at a point of collection adjacent to, and accessible from, a public right-of-way or an improved surface acceptable to the City. Residential solid waste collection vehicles will not conduct operations on private property. However, residential service may be provided on private streets that comply with the Sanitation Division’s requirements for surface material, vehicle clearance, and turning radii. In the case of multiple residences located on a privately-owned road or drive, the City may require the establishment of a mass collection point at an area adjacent to the nearest public right-of-way. The City will provide one solid waste container per residential account. Additional containers are available for an additional fee.

Commercial Service - Containers and collection points may be located on private property provided they can be easily accessed from a public right-of-way and the route of access and the collection point meets the Sanitation Division’s surface requirements, vehicle clearance, and turning radii. The City will provide standard commercial containers.

Utility Account Required - In order to secure solid waste collection services in the annexed areas, each property owner must establish a utility account with the City of College Station. The City will not be responsible for damage to private drives, private streets, or parking areas caused by trucks servicing solid waste containers.

E. Water and Wastewater Facilities

The City of College Station will provide water and wastewater service to areas that are not located within the certificated service territory of another utility. The level of water and wastewater service, infrastructure, and infrastructure maintenance provided in the annexed area will be comparable to the level of services, infrastructure, and infrastructure maintenance available in other parts of the City before annexation with topography, land use, and population density similar to those reasonably contemplated or projected in the area. Municipal services to be provided within the annexed area may be provided by any of the methods in which the City provides services to other comparable areas.

F. Roads and Streets

The Public Works Department will maintain public roads and streets at a level comparable to the maintenance prior to annexation. These services include emergency pavement repair and preventative street maintenance. Right-of-way mowing activities along State highways are addressed in the City's maintenance agreement with the Texas Department of Transportation and will be added to the City's maintenance activities immediately following annexation. Maintenance priorities are determined on a City-wide basis taking into consideration factors such as age, traffic volume, surface conditions, nature of the maintenance, public safety hazards, and available funding.

Existing street and traffic control signs shall conform to the City of College Station's standards within ninety (90) days of the effective date of annexation. The City will install traffic control signs in accordance with College Station's standards for same within ninety (90) days of the effective date of annexation.

G. Parks and Recreation Facilities

The City of College Station is not aware of the existence of any publicly-owned parks, public playgrounds, or public swimming pools in the proposed annexation area. In the event any such facilities exist, they will be maintained to the same degree and extent that the City maintains such parks, playgrounds and swimming pools within the current City limits.

H. Other Publicly-Owned Buildings and Facilities

The City of College Station is not aware of the existence of any publicly-owned buildings in the proposed annexation area. In the event any such facilities exist, they will be maintained to the same degree and extent that the City maintains such facilities within the current City limits.

Additional Services**A. Building Permitting and Inspections**

Upon the effective date of annexation, the City will provide building permits and inspection services. This service will be made available to the annexed areas on the same basis and at the same level of service as similar facilities throughout the City. Service is provided on a "cost recovery" basis, and permit fees partially offset the costs of services delivered. Construction activities underway prior to annexation may continue provided that all construction after annexation complies with City codes and ordinances.

All permits required by City codes and ordinances must be obtained for construction underway at the time of annexation. Permit fees will be waived for building construction underway prior to annexation.

B. Planning and Development Services

Planning and development services will be made available on the effective date of the annexation. Upon annexation, planning and development services will be provided by

way of the Unified Development Ordinance, the Comprehensive Plan, and other applicable codes and standards. The Comprehensive Plan contains information on future land use and character. It also includes a growth management and capacity section designed to accommodate growth by matching land use intensity with planned infrastructure. Upon annexation, all properties will be zoned R (Rural). The Comprehensive Plan will be used as the basis for evaluating rezoning requests after annexation.

C. Animal Control

The Police Department will provide animal control service upon the effective date of annexation. Animal control services include response to and investigation of reported animal bites, response to reports of stray or “at large” animals, and response to and investigation of animal cruelty and neglect reports.

D. Code Enforcement

Code enforcement services will be made available on the effective date of annexation. Code enforcement services include response to and investigation of nuisance issues, sanitation issues, illegal signs, abandoned or inoperable motor vehicles, property maintenance issues, and zoning violations.

E. Economic and Community Development

Economic and community development services will be made available on the effective date of annexation. Economic and Community Development services include the City’s HOME Investment Partnership Grant programs (rehabilitation assistance and minor repair programs as well as the down payment assistance program) and Community Development Block Grant (CDBG) Funds. CDBG Funds can be used for economic development and the construction and rehabilitation of various parks, public facilities, and infrastructure in income eligible areas. These funds may also be used for disaster relief and recovery efforts.

F. Recycling Collection

For residential customers electing solid waste collection from the City of College Station, curbside recycling collection is also provided once per week. Items accepted in the curbside recycling program include:

- Newspapers, magazines, and phone books
- Aluminum and steel food cans
- Clear and brown glass
- Plastic bottles
- Lead acid car batteries

IV. WATER AND WASTEWATER SERVICE PROVISION

This Water and Wastewater Service Plan (“Plan”) provides a program under which the City of College Station will provide full municipal services to the annexed area. For the purpose of this plan, “full municipal services” includes water and sewer services provided by the City within its full-purpose boundaries. The level of water and sewer service, infrastructure, and infrastructure maintenance provided in the annexed area will be comparable to the level of services, infrastructure, and infrastructure maintenance available in other parts of the City before annexation with topography, land use, and population density similar to those reasonably contemplated or projected in the area. The City will not provide water or wastewater service in areas where another entity holds the CCN unless or until the City of College Station acquires the CCN. Municipal services may be provided by any of the methods by which the City provides services to other comparable areas within the City. All services will be provided within the time provided in the TEXAS LOCAL GOVERNMENT CODE SEC. 43.056(B). The City may extend facilities under this plan or otherwise serve these areas through the use of *Impact Fees* as permitted under CHAPTER 395 OF THE TEXAS LOCAL GOVERNMENT CODE.

Wastewater facilities for future development that increases densities beyond the capital improvements specified in this plan will be extended in accordance with the City’s Water and Wastewater policy in existence at the time of development. The water and wastewater extension policy is discussed in Section V, Water and Wastewater Capital Improvements. In general, the policy for extension of utility service is development driven, meaning that utility line extensions are typically installed by developers, in conjunction with development projects. The City may accept ownership and maintenance of major facilities, such as gravity sewer lines, manholes, lift stations and/or wastewater package plants, as required by the particular development. The City may elect to pay for upgrades or oversize of infrastructure projects being installed by developers. As an area develops, developers or homeowners extend water distribution and wastewater collection lines to individual lots.

Generally, until an area becomes densely populated, the cost of utility extension is not feasible to be borne by a few lot owners. Also, in the case of wastewater treatment, developments with large lots will normally be constructed with on-site sewage treatment facilities that are privately owned and operated.

Water

The annexation area is in the water CCN service territory of Wellborn Special Utility District. The City of College Station does not have the right to provide water service in the annexation area, therefore, no water infrastructure will be provided by the City after annexation.

Wastewater

Wastewater service in the annexation area is currently provided by private on-site sewer facilities. The City recently installed a 12-inch gravity sewer main along the west side of Royder Road. Future development within the annexation area may access this sewer main through a combination of gravity lines and/or force mains.

As in other areas of College Station with similar topography, land use, and population density, the area currently served by private sewer treatment systems will remain on private systems

until such time as significant development occurs to warrant the extension of an organized sanitary sewer collection system.

V. CAPITAL IMPROVEMENTS

Should the City make capital improvements to serve the annexed areas, the City reserves the right to levy an impact fee to the properties annexed according to Chapter 395 of the TEXAS LOCAL GOVERNMENT CODE and the City's Code of Ordinances. The City may, from time to time, include construction of new, expanded or replacement facilities in its Capital Improvements Program (CIP). Facilities to be included in the CIP shall be determined on a City-wide basis. Priorities shall be established by the CIP plans of the City, projected growth trends, and the City Council through its development plans and policies.

A. **Police Protection (including animal control)**

No capital improvements are necessary at this time to provide Police Services to the proposed annexation area. Police protection will be provided to the annexed areas through existing City facilities at a level of service comparable to the level of service in other parts of the City before annexation with topography, land use, and population density similar to those reasonable contemplated or projected in the area.

B. **Fire Protection (including EMS)**

No capital improvements are necessary at this time to provide Fire Protection to the proposed annexation area. Fire protection will be provided to the annexed areas through existing City facilities and mutual aid agreements at a level of service comparable to the level of service in other parts of the City before annexation with topography, land use and population density similar to those reasonable contemplated or projected in the area.

C. **Solid Waste Collection**

No capital improvements are necessary at this time to provide solid waste collection to the proposed annexation area. Solid waste collection services will be provided to the annexed areas through the City's existing facilities or through franchise agreements with private services at a level of service comparable to the level of service in other parts of the City before annexation with topography, land use and population density similar to those reasonable contemplated or projected in the area.

D. **Maintenance of Public Roads and Streets**

No capital improvements are necessary at this time to provide right-of-way maintenance. Maintenance will be provided through the existing facilities at a level of service not less than exists in the area immediately preceding annexation. Any future improvement and/or enlargement of roads within existing rights-of-way will be included in future capital improvement programs in compliance with the City's thoroughfare plan and/or as needed to facilitate the maneuvering of emergency and sanitation service vehicles.

E. **Parks, Playgrounds and Swimming Pools**

No capital improvements are necessary at this time to provide parks and recreation services to the proposed annexation area. Parks and recreation services will be provided

through existing facilities at a level of service not less than exists in the area immediately preceding annexation.

Additional park development in the annexed areas will be addressed through the development standards and procedures of the City as residential development occurs. Such park development includes, but is not limited to, dedication of park land and/or money in lieu of land in accordance with the City of College Station Unified Development Ordinance and an existing interlocal agreement with the College Station Independent School District.

F. Other Public Buildings and Facilities

No capital improvements are necessary at this time to provide other public buildings and facilities to the proposed annexation area. Other public facilities, buildings or services will be provided through the existing facilities at a level of service not less than exists in the area immediately preceding annexation.

WATER AND WASTEWATER CAPITAL IMPROVEMENTS

The water and wastewater utility extension policy of the City of College Station is as follows:

The cost of off-site extension of water and wastewater facilities to serve a lot, tract, plat, or land development shall be borne by the owner or developer of the lot, tract, plat, or land by direct installation or through the use of *Impact Fees*. Where such extension is consistent with plans for the development of the City and its utility system the City may, by decision of the City Council, participate in the cost of construction so as to provide for additional capacity for the overall development of an area.

The cost of water and wastewater facilities necessary to serve existing lots or new development within a subdivision plat or land development shall be borne by the lot owner or developer of the plat or land by direct installation or through the use of *Impact Fees*. Standard tap fees or other installation fees in effect on a citywide basis are in addition to impact fees levied.

Water

No water infrastructure will be provided to this area after annexation. The annexation area is located within the water CCN service territory of Wellborn SUD. Therefore, the properties will continue to be served by Wellborn SUD after annexation.

Wastewater

Properties within the annexation area are either vacant or served by private on-site sewer treatment systems. Properties currently served by private on-site systems will continue to be served by said systems until such time development and/or redevelopment warrants the extension of an organized sanitary collection system.

VI. LEVEL OF SERVICES TO BE PROVIDED

It is the intent of the City of College Station to provide the level of services required by State law. The City Council finds and determines that the services, infrastructure and infrastructure maintenance proposed by this plan are comparable to that provided to other parts of the City with topography, land use, and population density reasonably similar to the annexed area and will not reduce the level of services available to the territory prior to annexation.

Nothing in this plan shall require the City to provide a uniform level of full municipal services to each area of the City, including the annexed area, if different characteristics of topography, land use, and population density are considered a sufficient basis for providing different levels of service.

VII. TERM

This service plan shall be valid for a term of ten (10) years. Renewal of the service plan shall be at the discretion of the City Council.

VIII. AMENDMENTS

The service plan may be amended if the City Council determines at a public hearing that changed conditions or subsequent occurrences make this service plan unworkable or obsolete. The City Council may amend the service plan to conform to the changed conditions or subsequent occurrences pursuant to the TEXAS LOCAL GOVERNMENT CODE, Section 43.056 (VERNON 2008 and VERNON SUPP. 2009).